

Rescaling Social Welfare Policies

A comparative study on the path towards multi-level governance in Europe

Rescaling Social Welfare Policies in Italy

National report provided by

Yuri Kazepov (coordination)

Marco Arlotti

Eduardo Barberis

Barbara da Roit

Stefania Sabatinelli

(English not revised by a native speaker)



EUROPEAN CENTRE
FOR SOCIAL WELFARE POLICY AND RESEARCH

Urbino, February 2006

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Introduction

According to a solid literature on compared welfare systems (Esping-Andersen, 1990; 2000), Italy is placed in the so-called “conservative (or corporative) model”, likewise other Continental Europe countries (e.g. France, Germany). This model is characterized by two connected ideal-typical features:

- social protection is dependent on the individual position on the labour market, with a heavy discrimination between *insiders* (benefiting social protection, though with difference due to categorization) and *outsiders* (left out from services);
- family plays an important role in supporting people in need, supplementing state intervention (principle of subsidiarity).

In spite of these similarities, many scholars maintain that the Italian welfare regime should be placed in a specific model, called also familistic or South-European (Ferrera, 1996, 2005; Galie/Paugam, 2000), in order to better understand differences with other continental countries.

A considerable difference pertains the relationship between the “State” and the “Family” as mechanisms of redistribution: actually, in Italy even though the family plays a pivotal role in the production of welfare, the State does not support it. This specific configuration has been defined as *passive subsidiarity* (Kazepov, 2004). An evidence is given by the low social expenditure on family policies (in 2000, 3,8% - including cash and in-kind provisions, while the EU-15 mean is 8,1%).

Lacking state support causes a high pressure on family networks, in particular on women, who are overloaded with caring responsibilities (children, elderly...). As a consequence, the internalization of care within the family (Barbieri/Mingione, 2003) discourages female labour participation (in 2004, female activity rate was 51%, while the EU-15 mean was 63%; OECD 2005) in a labour market still characterized by a bread-winner-like structure: adult male unemployment rate is very low (in 2003, 3,8% of males aged 55-64; OECD, 2004), while youth and female rate is very high (in 2004 they were 23,5 and 10,6%; OECD, 2004).

In general terms the redistributive effect of Italian social policies is quite weak (in 2001, Gini index was 0,29; Eurostat, 2004), also due to the fact that the Italian social expenditure as a percentage of GDP is slightly below the European mean (in 2002, 26,1%; Eurostat, 2005b) and the share allocated to pensions is very large (in 2002, 61,9%; Eurostat, 2005b).

This disproportion impoverishes other items and cuts down resources for social assistance (in 2004, only 7,3% of social expenditure; Ministero del Lavoro e delle Politiche Sociali, 2005), mainly delegated to local scales in the frame of a weak state regulation. Imbalances in the social expenditure, together with marginality and fragmentation of social assistance schemes, make public actions against poverty very ineffective (as it is shown by the difference between pre- and post-transfer poverty; in 2001 it was -3, while EU-15 mean was -9; Eurostat, 2004). Furthermore, these problems are more severe (and almost endemic) in Southern Italy, where poverty rates are higher than the national average (in 2004 25% of Southern households had consumption levels lower than the poverty threshold,¹ while the national mean was 11,7; ISTAT, 2005b) and where two out of three Italian poor households live (68,8/ in 2004; ISTAT, 2005b).

¹ According to ISTAT, it is considered poor in relative terms a two-persons household with a consumption expenditure equal or less than the per capita average consumption expenditure. This conventional threshold was equal to €919,19 per month in 2004 (+5,2% on 2003). For larger household, there is a specific equivalence scale.

1 Changing contexts: demography, economy, society, politics

1.1 Socio- demographic patterns and trends

Like other industrialized countries, Italy is going through a deep social and demographic change, which is concurring in the weakening of family micro-redistribution functions and in the enlargement of new areas of vulnerability. This is mainly due to three basic features:

- the incremental growth of the elderly;
- the drop of the birth rate;
- the fragmentation of family models (Kazepov/Sabatinelli, 2003: 239).

These three features – together with the increasing number of non-EU migrants – have an interlocked effect on Italian welfare balances, affecting also the planning and the implementation of social policies.

As for letter a), the share of the elderly on the total population passed from 13,2% in 1981 to 19,5% in 2004 and also life expectancy increased considerably². This factor concerned especially Central and Northern Italy, where the old age index is higher than the national mean (in 2004: 31,9 and 31,2, while the national average was 29,4%). In the near future, it is expected that also Southern Italy will face a relevant aging process (Ministero del Lavoro e delle Politiche Sociali, 2003a: 7), at the moment not yet evident (old age index = 25,6% in 2004).

The increased share of the elderly on the total population is goes along with a relevant drop of the birth rate (from 1,64 in 1980 to 1,33 in 2004), nowadays one of the lowest in the world (Rosina, 2005). Even if in the last years the fertility rate is growing (the minimum was reached in 1995 = 1,19)³ this is a structural problem, to be analyzed shedding light upon the changed patterns of reproduction and family-making (Ranci, 2001: 20), but also taking into account difficulties in rearing more than one baby. As a matter of fact, the drop of fertility rate is not as much due to a drop of the first born, as to a drop of second (and further) born, so that in many Italian Regions the share of families with an only child is becoming prevalent.⁴ Actually, many cannot afford a larger offspring, also due to a persistent lack of policies supporting families (fiscal facilities, public services, ...) (Kazepov/Sabatinelli, 2003).

Ageing and low fertility are matched also with a progressive transformation of traditional family models into new ones, with new risk configurations and new needs. First, the drop in the number of persons per household (from 2,8 in 1990 to 2,6 in 2001; Ministero del Lavoro e delle Politiche Sociali, 2003)⁵ means also a growth of one-person households – 23,9% of Italian households in 2001, with a higher frequency in Central and Northern Italy.⁶ They are often eld-

² Between 1981 and 2004, life expectancy increased by some 6 years for the women (from 77,6 to 83,7) and by some 7 for the men (from 70,9 to 77,8).

³ Between 1995 and 2000 fertility rate rises by 0,07, especially in the last years due to a consistent growth of births in immigrants' households (Billari et al., 2005)

⁴ In 2000 (ISTAT, 2002), couples with an only child were 45,8%, especially in Northern (54%) and Central Italy (49,5%), while this household type is less common in the Mezzogiorno (35,8%), where couples with two children are prevalent (46,5%)

⁵ Such a drop is less relevant in Southern Italy, where the average number of persons per household is some three (2000 = 2,9), due to the important share of large families (11,3% vs. a national average of 7,1%) and a smaller number of one-person households.

⁶ In 2000, one-person households were 25,2% of all the households in Northern Italy, 25,8% in the Centre, 20,6% in the South. The top level is reached in North-Western Regions, where singles are 26,1% - 3% more than the national average.

erly people, especially widowed women (due to the higher life expectancy), but also and increasingly adult singles, divorced and separated. The latter ones are due to a further change, i.e. the crisis of marriages as a keystone of household life.

In the long period, the slowly growing offspring born out of wedlock and the slowly increasing number of single-parent families (mainly due to the marriage crisis: divorce rate passed from 0,5 in 1980 to 0,7‰ in 2003%)⁷ could be of some consequence, even though it is difficult to say that wedlock is structurally in crisis (Ranci, 2001).⁸ Actually, even tough births out of wedlock are increasing (from 4,3% in 1980 to 14,9% in 2004), it is still one of the lowest rates in Europe (EU-15 mean in 2000 = 27,2; Eurostat, 2003), as well as divorces and single-parent households rates (0,7‰ and 4,1% in Italy, 1,9‰ and 9,7% in the EU-15 in the year 2000; Eurostat, 2003). To sum up, even though traditional family is under pressure⁹ and weaker, compared with other European countries, it is not totally in crisis (Ranci, 2001).

Issues raised by migration processes and their growth cumulate with the other ones in the creation of new forms of social vulnerability. This phenomenon, quite new for Italy, is becoming relevant both from a quantitative and a qualitative point of view. On the one hand, the incidence of foreign population is growing (from 0,4% in 1990 to 4,1% in 2005),¹⁰ with higher rates in the most dynamic local economies of Northern and Central Italy. Besides, in the last decade migration is becoming more and more settled, shifting from a short-period phenomenon to a permanent one, as it is shown by the increasing number of family reunifications and by the increasing immigrants' fertility rate (Cancellieri/Fava, 2002: 7). This issue engenders new social questions, like the social insertion of migrants (especially minors) and the recognition of their rights; critical matters that haven't still found a sound political answer (except for some populist and demagogic sallies). Actually, immigration-related issues are mainly managed by "political entrepreneurs of fear" (Dal Lago, 1999), manipulating fears and quandaries in order to increasing their consensus and hence supporting law and order policies – as it is shown by the last immigration law passed by the centre-right majority in 2002 (law 189/02).¹¹

1.2 The State, its organisation and normative foundation

The Italian welfare system is characterized by the strong link between social protection and the position on the labour market (and payment of contributions) by claimants.

⁷ The trend is differentiated per sub-national areas: actually, marriage crisis is more relevant in Northern (between 1988 and 2002 divorce rate passes from 0,8 to 1, while separations from 0,9 to 1,6) and Central Italy (divorces from 0,5 to 0,8, separations from 0,8 to 1,8), while the trend is less intense in Southern Italy (divorces from 0,3, to 0,4; separations from 0,3 to 0,9) (personal processing on ISTAT data, various years).

⁸ Anyway, it is worth observing a fall of marriage rates, that reached in 2004 its minimum (4,5 vs. 5,5 in 1991 and 5,6 in 1981), also below the European mean (Rosina, 2005).

⁹ Just to give some data, care demand increased because of ageing (in 2003, some 20% of the elderly were disabled; Pavolini, 2005: 204), mainly managed within families and their resources, and because of youth dependency on parents (in 2000, 73,5% of people aged 18-30 still lived with their parents; Ministero del Lavoro e delle Politiche Sociali, 2003a) – a big pressure on families sue to high youth unemployment and lacking policies.

¹⁰ Anyway, it is worth mentioning that official data don't provide a full grasp on the phenomenon, due to the high number of undocumented migrants matched with the formally harsh stop policy implemented in Italy.

¹¹ A comparative research on immigration policies in many European states (Fumagalli, 2005) shows that law 189/02 is one of the strictest in Europe as for entry rules.

This criterion is shared by the countries of the ‘Continental welfare model’ (Esping-Andersen, 1990; 2000) – except for the Health System, which in Italy is covering all citizens (at least nominally) in a universalistic way. It is an arrangement that gives a high protection to people in a standing labour position (in particular adult male bread-winners) and their households, while denies support for those not belonging to clear labour categories (e.g. irregular workers or workers with inconstant contribution payments, etc.). For them, means tested social assistance policies are usually established. The latter, however, are in the Italian welfare system traditionally marginal and characterized by a category-based approach (i.e. they usually target some categories of need: the elderly, the disabled, etc.) and by an impressive fragmentation in the implementation, both from an institutional (diverse access criteria, diverse amounts and durations) and territorial (local diversities in a weak state coordination¹²) point of view.

Therefore, in the Italian welfare system insurance-based services are predominant, so that in 2004 they were some 67% of all welfare provisions, while the share of social assistance policies was only 7,3% (Ministero del Lavoro e delle Politiche Sociali, 2005a).¹³

Besides the unbalanced allocation of social expenditure we mentioned above – pensions count for more than 60% of the total social expenditure – we should mention that money transfers account for a much higher share of expenditure than in-kind provisions – exerting a further pressure on families.

As a consequence the public production of services is limited and non-profit organizations play a major role in widening the supply of services. Anyway, also in this case the regulation of the relationship between State and non-profit organizations is grounded in the passive subsidiarity,¹⁴ i.e. non-profit organizations are very important in supplying services, but they are weakly supported and funded by public authorities.¹⁵

From the late 1980s onward, Italian welfare structure has been going through an intense reform process (Kazepov/Genova, 2005), characterized by three main features:

- a changing trend in the social expenditure balance;
- a pluralization of suppliers, also working according to market regulation mechanisms (New Public Management);
- the decentralization of functions and competencies to sub-national scales of government.

In the next sections, we will elaborate on these changes.

¹² Measures targeting specific categories (elderly, disabled, etc.) excepted, since 1977 (decree 616/77), social assistance measures have been conferred to Local Authority, without any national coordination frame. As a consequence, assistance system is differentiated territorially, affecting fairness and equality of re-distribution.

¹³ To reach 100%, it is necessary to add health services, that in 2004 account for 23,7% of total social measures.

¹⁴ Last data on Italian non-profit organizations (1999) show that public funding accounts for 42,3% of revenues, while 20,4% is made up by non-market revenues and 37,3% by market revenues (personal processing on ISTAT data in Ministero del lavoro e delle politiche sociali, 2003b).

¹⁵ As Ranci (2003a) observes in his European comparative analysis of welfare mixes, Italy is among countries with a leading role of non-profit organizations (Ranci, 2003a: 53-60), characterized by many private suppliers and by limited state subsidies, covering only partially non-profit organizations’ budgets and needs.

1.2.1 The new balance of social expenditure

During the 1990s, budget constraints due to the EU integration process (together with the social, demographic and economic changes) forced Italian governments to deep reforms in the budget allocation, re-balancing social expenditure. As a consequence, in a first stage expenditure was cut off (a decrease of 1,4% of the incidence on the GDP between 1992 and 1995) and then it was stabilized (+0,4% on the GDP in the period 1995-2000)¹⁶. Re-balancing affected mainly a) the pensions system, b) social assistance and c) labour market policies, with a set of measures implemented from the mid-Nineties.

As far as the pension system is concerned, in 1995 the so-called Dini reform (named after the Prime Minister at that time, Lamberto Dini) introduced a new accounting system, with the shift from a wage-system (based on workers' last wage) to a contribution system (based on the amount of contributions paid), and raised the age threshold (from 55 to 60 for women, from 60 to 65 for men) (Paci, 2004: 347). This reform – cutting substantially pensions – allowed to control increasingly the expenditure (Paci, 2004: 348) and affected the balance of social expenditure, so that the incidence of pensions decreased from 63,4% in 1995 to 61,9% in 2002 (Eurostat, 2005).

As far as social assistance is concerned, during the 1990s there are some attempts to reduce its marginality and to increase the number of recipients. First steps in this direction took place after the recommendations by the Onofri Commission,¹⁷ established by the centre-left government led by Romano Prodi to provide a framework for welfare reforms.

Actually this Commission drew a plan aimed at reforming the whole Italian welfare system, giving a more relevant role to active labour market policies and redesigning unemployment schemes. Besides, the Commission suggested a reform of social assistance, with new measures against poverty based on universalistic-selective criteria (i.e. universalistic access and effective selection criteria aimed at targeting real needs) (Sacchi, 2005). Suggestions by the Onofri Commission were afterwards (at least partly) taken into consideration by centre-left governments:¹⁸ new measures aimed at supporting families were passed,¹⁹ together with two important measures at that time missing in the Italian welfare system, i.e. a framework law for the whole social welfare sector (Law 328/00) and the *Reddito Minimo d'Inserimento* (RMI, an insertion income support), the latter only on an experimental basis.

In spite of these attempts, a full reform of social assistance has not yet been implemented (as the steady incidence of social expenditure on GDP in the last years shows), because the change of government in 2001 impeded the reform process to be fully implemented, because of different political orientations.²⁰

¹⁶ The rise of social expenditure as a share of GDP in the last years (+1,2% in the period 2000-2003) worries students (see Giannini/Onofri, 2005), because it is not a sign of a reform stage or of an increase of services meeting new needs, but the result of weak capacity to control expenditure (growing inertially) by the actual government.

¹⁷ The so-called Onofri Commission (Commission for the study of macro-economic affordability of social expenditure) was named after the economist Paolo Onofri, appointed president of this commission.

¹⁸ The plural is due to problems within centre-left coalition after 1996 elections, that caused the fall of Prodi government. In the end, during that legislature centre-left governments were three.

¹⁹ Among them, it is worth mentioning two universal measures not based on contributions, i.e. motherhood allowances and allowances for families with three (or more) children, that caused a valuable increase in social expenditure on families (in the period 1995-2000, +0,6%)

²⁰ Actually the present government has steered the path of assistance away from an all-round system toward a category- and emergency-based strategy, whose main focus is the family as the keystone of

1.2.2 The pluralization of service suppliers and the new market regulations

From the 1990s new social needs, tied with social and demographic changes, and budget constraints due to the European integration (Ranci, 2003b) engendered a considerable outsourcing process and an entrustment of services to private (especially non-profit) actors.

As we mentioned above, this feature – quite customary in the Italian welfare system – has become more and more widespread in this period, together with a more general trend toward contract-based and market relationship between public and private institutions. Actually, in the 1980s the relationship between public and private actors usually was not contract-based, granting public authorities a discretionary and autonomous selection of suppliers and of the services supplied (Ascoli et al., 2003).

From the early 1990s, bribery lawsuits involving politicians²¹ and EU directives²² on public contracting concurred in new regulative arrangements aimed at making the relationship between public and private actors more reliable, clear and effective. A first step was the new rule of the ‘contracting out’, with a shift from a grant-based relationship (public subsidies without accountability constraints up to the receiving organizations) to contract-based transfers (funding conferred according to an agreement where duties and rights are clearly listed) (Ranci, 2003). In a first stage, implementation of contracting-out principles was based on the principle of “maximum reduction of prices offered”:²³ on the one side, it was useful from a budgetary point of view, but – on the other side – it caused a drop in the quality of supplied services (Ascoli et al., 2003: 165). To overcome this problem, lately public institutions are paying more attention to quality standards, so that price is no longer the only criterion for contracts.

Besides this ‘supply-driven’ privatization, i.e. the contracting out, in Italy there has been also a demand-driven privatization, that was substantiated mainly with ‘vouchers’ and other forms of social service marketization. In this way, public institutions must fund and accredit (according to technical and professional standards) private actors in competition, and the citizens (entitled to vouchers) demand the supply they prefer.

Accreditation, at the moment widespread mainly in health services²⁴, on the one side allows a larger supply to cope with an increasing demand of services, but – on the other side – is very

welfare production (Bastagli/Sacchi 2005). Moreover, the present government stopped the testing of minimum income measures (RMI) implemented by centre-left governments because of ideological and legal reasons: on the one side, priority were different; on the other side, the constitutional reform approved in 2001 assigns the Regions sole legislative power on social matters, so that the state cannot enact such a thorough measure. The latter issue, anyway, is questioned by many scholars, because constitutional reform has not erased state competences: rather, the state must determine minimum assistance levels, in which it could be possible to include also RMI.

²¹ During the early 1990s, investigations brought to light a widespread system of bribery in public contracting, that involved a number of local and national politicians belonging to government majority parties.

²² Directive CEE 92/50, passed in the Italian law through decree 157/95, rules that local bodies must publish a contract competition for services more expensive than 200,000 euro, according to quantitative (price) or qualitative and quantitative (relationship between price and service supplied) criteria (Ascoli et al., 2003).

²³ The criterion of “maximum reduction of prices offered” means that contract is given to the private body asking the lowest remuneration and that the price (and not quality for instance).

²⁴ After 1992 reform (decree 502/92), the competition between public and private suppliers of services becomes a pillar of Italian health policies: in 2000, accredited private bodies supplied 8% of total

questionable as far as selection criteria and side-effect of excess of competition are concerned (Paci, 2004).²⁵

1.2.3 The decentralization of welfare policies

Together with the above-mentioned change trends, from the late 1980s and even more during the 1990s Italy show an increasing decentralization of functions and competencies to sub-national scales. This process is tied with a wider downward change of scale (rescaling) in the territorial balance of powers according to the principle of vertical subsidiarity (see 2.2.1 and 2.2.2.); it is due to two main causes (Righettini, 2005):

- the external pressure on the Italian State by the EU integration process;
- inland political changes, with growing consent to autonomist parties (Lega Nord/Northern League) supporting a federalist reform of the State.

The interlock of the above processes helped decentralization trends whose climax has been the 2001 Constitutional reform and, lately, the so-called ‘devolution’ (see chapter 2). These reforms had an influence also on the Italian welfare system (especially on health, social and labour services), because the financial, legislative and management role of local and regional governments grew considerably. As for health policies, they have always been quite decentralized (since law 833/78, which established the national health service), but new law provisions were added in the 1990s (decree 502/92 and decree 229/99), conferring Regions wider financial and legislative authority on the issue (especially health funding is allocated on a regional basis, see § 2.3.1.).

Lately, the so-called ‘devolution’ was passed (see chapter 2), with a new change in the territorial balance also in the health system: legislative power on the organization of health services is now solely up to the Regions – without any state coordination. Likewise health policies, social policies were considerably decentralized since the late 1970s (decree 616/77), and this feature was further enhanced by the new framework law 328/00. There, Local Authorities are considered not only as main deliverers of services, but also (and mainly) as planners and managers of social measures, according to the principle of *vertical subsidiarity*. As for labour policies, decentralization started only in 1997 (decree 469/97), when Regions were authorized to rule autonomously active labour market policies and public employment agencies (operationally managed by the Provinces, while in the past they were strongly centralized).

The increasing decentralization of welfare policies has been widely questioned as far as its fairness is concerned, also due to territorial differences. According to a number of scholars (Bifulco, 2005; Caltabiano, 2004; Kazepov/Genova, 2005), the risk is the growth of interregional inequality and a lack of re-balancing actions, so that intra-national differences get consolidated in the long run.

Therefore, the delicate balance between decentralization and fairness is a key issue in the Italian case, coped in very different way by the last governments. On the one side, centre-left governments (1996-2001) paid some attention to the negative outcomes of the decentralization process

services at national level (Levaggi 2004), with reference to a managerial administration of health institutions due to budgetary constraints.

²⁵ As many students maintain (Ascoli/Ranci, 2003; Ranci, 2003b; Paci, 2004; Tosi, 2004), privatization trends are neither matched with a relevant drop in public funding nor with a diminished role of the state (not by chance, in the period 1990-2002 per-capita expenditure in PPS is not decreased). Rather, privatization trends show a shift from a direct public supply to a mixed system characterized by many suppliers and a new role for the state (from rowing to steering) (Borghi/Van Berkel, 2005). Therefore, State role has not been wrecked, but renovated according to new regulations.

(Fargion, 2004), ruling some minimum guarantees of the universality of social rights: the framework law on social services, the testing of minimum income measures (RMI) and new actions against poverty targeted this concern. Furthermore, the 2001 constitutional reform stated that it was up to the State the definition of and control over minimum national standards for social services (so-called ‘Liveas’).

On the other hand, the present-day centre-right majority has been less attentive, according to a neo-liberist agenda, so that last November they passed the so-called ‘devolution’ law that – though concerning only some matters – is likely to increase local differences in social and health services’ standards.

1.3 The Market, commodification and labour market performance

The Italian model is characterized by the following features (Reyneri, 1996; Mingione/Pugliese, 2002; Kazepov/Sabatinelli, 2002):

- low activity rate (in 2004, 62,5%; ISTAT, 2004), especially female (in 2004, 50,6%; ISTAT, 2004), due to the familistic welfare model, where care is up to women, discouraging their participation into the labour market;
- high youth and female unemployment rate (in 2004, 23,5% and 10,5%; ISTAT), meaning that these populations are largely excluded from stable jobs and are overrepresented in seasonal and informal work. Very low unemployment for adult males with a stable labour insertion (in the age group 55-64, Italian unemployment rate is among the lowest in Europe: 3,6% vs. 5,7% for EU-15; OECD, 2004). Moreover, unemployment in Italy is troublesome also for its length, which is outstanding for a considered number of unemployed (in 2004, 49,7% of the unemployed has been seeking a job for more than 12 months, while EU-15 mean is 42,6%; OECD, 2005);
- relevant uneven regional development, so that in Southern Regions many structural problems are interlocked (lack of infrastructures, low investments, high level of informal jobs, criminal organizations – the real burden of Southern economy). This divide has an enormous effect on labour market, so that national figures are not that meaningful. Actually, unemployment rate in Southern Regions is much higher than the national mean (in 2004, 15% vs. 8%; ISTAT, 2005a), while in Northern Italy it is even lower than the EU mean (4,3%). Obviously, the same difference exists also for female and youth unemployment (in 2004, they were 12,2% and 44,6% in Southern Italy, and 5,9 and 14,7% in Northern Italy; ISTAT, 2005a);
- considerable number of self-employed (in 2004 they accounted for 28,1% of the employed; ISTAT, 2005a), matched with an economic fabric mostly made up by SMEs (mainly gathered in midland and North-Eastern industrial districts – the so-called ‘Third Italy’). Though Italian SMEs are partly gathered in competitive industrial districts,²⁶ the whole system shows some weaknesses (e.g. low investments and low innovation), and – as a result – it suffers more and more in the global competition.

²⁶ Industrial districts are SME networks with (mainly) horizontal relationships and a strong product specialization. According to ISTAT criteria, in Italy there are 199 industrial districts, mostly lying in Central and Eastern Regions (63%), while only 7,5% are in Southern Italy. They account for 38% of Italian GDP and 40% of manufacturing labour force (Bersani/Letta, 2004). In the last three years, slump affected also industrial districts, that recorded a drop of export for some 6 billions euro (Bersani/Letta, 2004).

In the long run, main changes in the Italian labour markets go back to five issues: persistent unemployment; widespread non-standard work arrangements; the growing inclusion of women in the labour market; the increasing North/South divide. In the following paragraphs, we will elaborate on these issues.

1.3.1 Persistent unemployment

In general terms, unemployment is more and more a structural feature of nowadays labour market and it is no longer linked to cyclical crises (Carbone, 2004: 5). This is true also in Italy (Kazepov/Genova, 2005). Actually, after the oil crisis in 1970s, in Italy the 1980s are characterized by a growing unemployment rate – higher than in the previous decade.²⁷ This phenomenon is to be analyzed in the light of the de-industrialization process affecting also Italy in those years (industrial workers as a share of the employed drop by 9% in the period 1981-1991; see appendix), and especially Fordist cities like Turin, Milan and Genoa.

After a short stability, the 1990s are again a weak period for the Italian economy (GDP grows on average by 0,8% per year in the period 1990-1993),²⁸ due to the globalization of production and the following industrial renovations (Graziano, 2004: 131).²⁹ Crisis lasts till the mid-1990s, when the GDP grows (on average by 2,08% per year in the period 1995-2000) and – as a consequence – also the labour market, so that unemployment rate drops. One of the most striking results is the relevant growth of female employment (from 37,5% in 1995 to 41,8% in 2000, while unemployment rate drops by 1,8% in the same period).³⁰ On the other side, male employment grows weakly (only 2%), and the considerable drop of unemployment rate does not involve tradition ‘insiders’ of the Italian labour market (adult males, whose unemployment rate, on the contrary, grows by 2,2%).

In the last five years, unemployment still decreased (8% in 2004 – one of the lowest levels in the last decade), but – according to some scholars (Saraceno, 2004; Garibaldi, 2005) – paradoxically this situation hides an unfavourable condition:³¹ unemployment falls because many people (particularly women and Southern; see below) stop seeking a job – a discouragement tied with the current slump.

²⁷ In the 1970s, average unemployment rate was 6,4%, with a range from 5,3 to 7,6. On the contrary, in the 1980s, the average rate was 10% /ranging from 7,5% to 11,8%) (source personal processing on OECD data in Graziano, 2004: 123).

²⁸ In the second half of the 1980s, GDP average growth has been 3,06%.

²⁹ Between 1993 and 1995, Italian manufacturing employees drops by 3,8%, i.e. 260,000 workers. The decrement lasts till 1997 (ISTAT, 2004).

³⁰ As for the youth, the other weak segment of labour force, in the long run the unemployment rate decreases from 30,3% in 1995 to 23,5% in 2004. Correspondingly, there has not been a sensible increase of employment rate (only +1%). According to Reyneri (in Pace, 2005), the two trends are explained by a lengthening of educational careers, fostered by the two-tiers reform of university (Bologna process), that created new short (three-year) university degrees.

³¹ In the last years, Italian economy is slumping, with an outstanding loss of competitiveness, as surveyed by the World Economic Forum (Italy’s competitiveness rank was 41st in 2003 and 47th in 2005), and a stagnant GDP (the growth in 2005 was only 0,2%, while it was 3,2% in 2000).

1.3.2 The growing inclusion of women in the labour market

Starting from the 1990s, female participation in the Italian labour market grows: both the activity and the employment rate grow considerably, even though less than the EU average³² (activity rate = 43,2% in 1988, 50,6% in 2004; employment rate: growth by 7,4% from 1993 to 2004). This phenomenon is more prominent in the service sectors – and it is matched by its growth, but also to high female schooling rates (that curtails the discouragement effect) and to the introduction of new non-standard arrangements (part-time and others – see below), easing the matching of family and labour tasks (at the cost of instable careers).

In the last years, for the first time after many years female activity rate is decreasing,³³ due to a discouragement effect experienced especially in Southern Italy, where structural factors are weaker (low demand, few services, etc.; Saraceno, 2005) and the context hinders female participation into the labour market.

1.3.3 Non-standard labour arrangements

One of the main changes in the labour market is the use of many non-standard labour arrangements (part-time, interim, fixed-term, etc.) different from the tradition full-time. On the one hand, these arrangements answer employers' need for flexibility, but – on the other hand – labour careers are more and more de-standardized and uncertain (Carbone, 2005: 292). This phenomenon happened also in Italy: in the period 1993-2004, fixed-term contracts as a share of the employed grew by 2%, especially after 1997 (law 196/97, so-called “pacchetto Treu”),³⁴ that ruled interim work (till then forbidden by Italian law).

The implementation of the reform caused a growth of fixed-term jobs till 2001, when firms obtained fiscal facilities for the turn of fixed-term into full-time contracts (Kazepov/Sabatinelli, 2003). This trends continues also in the last years (the share passed from 12,7% in 2001 to 11,8% in 2004). As for interim work, up to now their growth has been relevant, especially in dynamic northern areas: interim workers as a share of fixed-term workers is passed from 2% in 1999 to 7% in 2002 (i.e. from 31,000 equivalent workers in 1999 to 95,000 in 2002 - a growth rate above 200%; Reyneri, 2003). Most recent trends show a stabilization of interim workers (8% of fixed-term workers in 2004; ISTAT, 2005a): however, nowadays it is a widespread experience, due to the high turnover, especially for youngsters seeking their first job.³⁵

³² Actually, in the same period female activity rate in EU-15 grew by 10%, reaching 63% in 2004 (OECD, 2000; 2005) – still much higher than the Italian case.

³³ Between 2003 and 2004, female activity rate decreased by 0,3%, while the employed women increased by 1% (+86,000 workers) (ISTAT, 2005). Nevertheless, growth of employment affected only central (+3,8) and northern (+0,5) Regions, while it decreased in the Mezzogiorno (-0,1%), where also female job-seekers decreased (-12,1%). Last data confirm the discouragement effect for Southern women, as agreed also by experts from the Ministry of Labour (Ministero del lavoro e delle politiche sociali, 2005).

³⁴ The “Pacchetto Treu” is named after the Minister of Labour in those days, Tiziano Treu. It is made up by a consolidated set of rules concerning employability, passed by the centre-left government in 1997.

³⁵ Retaining that flexibility in Italy was too low, the centre-right government actually in office passed in 2003 a new law reforming the labour market (law 30/03 – so-called Biagi law, named after the jurist Marco Biagi, killed by Red Brigades in march 2002). It ruled new non-standard work arrangements, like the job on call and the staff leasing contract. The law was harshly contested by opposition parties and by trade unions because it is thought to increase considerably workers' precariousness.

Another factor of flexibilization in the Italian labour market has been the ruling of part-time work in the mid-1980s. From 1988 to 1995 part-time workers passed from 8,3% to 10,8%, while from the mid-1990s the growth became more considerable, also in this case due to the law 196/97, that reformed this contract. Part-time arrangements were used mainly by women, even though with rates lower than the EU average (in 2004, part-timers as a share of female employed were 28,8% in Italy and 3,2% in EU-15; OECD, 2004).

1.3.4 The North/South divide

As we mentioned above, sub-national inequality is a structural feature of Italian labour market. Here, it is worth saying that such a divide increased constantly in the last decade, as it is shown in the table below.

Table 1 Difference from national mean of employment and unemployment rate by area

	North		Centre		South	
	Unemployment Rate	Employment rate	Unemployment Rate	Employment Rate	Unemployment rate	Employment Rate
1993	-3,0	+5,6	-1,4	+1,7	+5,4	-7,7
1995	-4,0	+6,6	-1,4	+1,8	+6,9	-8,9
2000	-5,0	+7,7	-2,0	+2,2	+8,7	-10,4
2003	-4,4	+7,9	-1,5	+2,9	+7,7	-11,0
2004	-3,7	+7,7	-1,5	+3,5	+7,0	-11,3

our elaborations on ISTAT (2004)

In 1993, the difference between Southern Regions and Italian average was +5,5% for the employment rate and -7,7% for the employment rate. Ten years after, these differences are outstandingly higher, and the divide increased also due to increasingly better performances by Northern Regions.

Therefore, North/South divide is higher and deeper than ten years ago: between 1993 and 2003 the share of Italian unemployed living in Southern Italy passed from 50,3% to 60,6% - a serious problem, especially if we think that only one third of Italian active population lives in Southern Regions.

1.4 Concluding remarks – Summary

From the early 1980s, demographic, economic and social transformations brought about a re-organization of rules and measures of the Italian welfare system.

From the socio-demographic point of view, family-based micro-redistribution weakened increasingly, due to an overload of functions (long-lasting support to weak subjects, like the elderly and the young) than to a crisis of family structures (as it is shown by low rates of divorce and births out of wedlock); this phenomenon engendered a new demand for care, previously met by primary networks, increased also by new risk situations, mainly tied with ageing and immigration.

From the socio-economic point of view, until mid-1990s de-industrialization and the effects of globalization caused a rise of unemployment rates that become structural for a relevant part of

the labour force. In the last decade, on the contrary, the trend changed, in relation also with the spread of non standard work arrangements (fixed-term, interim, part-time, etc.): even though *per se* this phenomenon doesn't cause vulnerability, in the Italian context this is the case because of the weakness of social shock absorbers which do not allow an adequate bridging.

In order to tackle these changes, during the 1990s Italian welfare system has been reformed in many ways, and especially by:

- rebalancing social expenditure;
- authorizing a plurality of suppliers (with contracting out and accreditation systems), in order to cut off and monitor social expenditure trends;
- decentralization of functions and competencies to sub-national scales

The impact of these reforms is still to be assessed, but first indicators show a complex situation emerging.

2 Institutional analysis: actors and governance arrangements

2.1 Identification of the territorial institutions and their development

In Italy, territorial government is organised around four scales: 1) Municipalities, 2) Provinces, 3) Regions, and the State.³⁶ There are 20 Regions (15 under ordinary ruling, 5 with a special statute), 102 Provinces and more than 8,000 Municipalities, usually with a very small size.³⁷ The law framing and ruling institutional relationships among different scales is the chapter 5 of the Constitution, recently reformed with a Constitutional law (2001).

2.1.1 The Municipalities and the Provinces

Municipalities and Provinces are administrative bodies. Usually administrative tasks are up to Municipalities, but they manage also to a great extent policies and services implemented at local level, like waste, public transport, social assistance, local police, school buildings, etc. On the other hand, inter-municipal coordination and planning is up to Provinces, which manage also services that cannot be managed by single Municipalities on their own.

2.1.2 The Regions

As far as Regions are concerned, they are the only sub-national government, that, according to the Constitution, have legislative power (like the State). This power pertains a wide set of matters – that became wider after 2001 Constitutional reform (see next paragraph).

³⁶ Art. 114 of the Constitution states also the so-called “metropolitan areas” as government bodies. Metropolitan areas are intended as inter-municipal coordination bodies, and were ruled for the first time by the law 142/90. Up to now, metropolitan areas have never been implemented (Virga, 2003: 218).

³⁷ Italian Municipalities are exactly 8,103, whose 7,8% with more than 15,000 inhabitants (1,9% with more than 250,000), while the remaining 92,2% is inhabited by less than 15,000 people. Municipalities having less than 1,000 inhabitants are even 24,7% (Vandelli, 2004).

According to the new constitutional wording (art. 117 of the Constitution), Regions' legislative power is divided in two types: a) concurring; b) exclusive.

The first one concerns all the matters in which regional legislative power is subdued to state framework laws. Among them, there are economic and production fields (transports and communication, energy, management of the territory, R/D) and welfare measures (health, protection and safety of labour, education) (Bosi, 2003: 239), exception made for social security (solely up to the State) and social assistance (solely up to the Regions).

The second one pertains matters in which Regions' legislative power is not constrained by state rule, constitutional, EU and international rules and duties excepted. There is not a list of these matter, because Regions can legislate autonomously on all matters which are not explicitly competence of the State or concurring (see below).

2.1.3 The State

As far as state government is concerned, the Constitution assigns the State concurrent legislative power on the aforementioned matters, and sole legislative power on matters concerning fundamental affairs (army, justice, social security) and on basic principles, coordination and safeguard of universal rights (Bosi, 2003: 238). With regard to this issue, the State has a sole legislative power also on the definition of minimum standards of measures concerning civil and social rights, on the principles of education and on the functions bestowed to sub-national authorities (Municipalities, Provinces, metropolitan areas). These competences become crucial after the reform of Italian institutions: actually, they play an important role in the delicate relationship between decentralization and universal countrywide citizenship rights. Moreover such a balance is fundamental also because of the long-lasting economic and social divide among different Regions.

2.2 Changing institutions

When originally approved in 1948, Chapter 5 of the Constitution – concerning the territorial organization of government – foresaw three decentralized scales (aside from the National government): Regions, Provinces and Municipalities (art. 114). The Constitution gave the Regions (art. 117) the power to decide their own statute³⁸ and, what is even more important, a legislative power aimed at concurring with the State in a set of matters explicitly defined in the Constitution itself (urban and rural police; public charity; health and hospitals; agriculture, etc.). As far as Municipalities and Provinces are concerned, according to the *principle of autonomy*, they were admitted to have their own political and administrative management line (Vandelli, 2004: 22), but their general regulation was postponed, to a great extent, to following laws (art. 128).

Notwithstanding this decentralised institutional configuration foreseen by the constitution, up until the seventies, the Italian State was characterized by a high level of centralization.

³⁸ A stronger autonomy was given to five Regions (so-called special statute ones) according to special historical, social and cultural conditions: Friuli-Venice Giulia, Sardinia, Sicily, Trentino Alto-Adige, Aosta Valley. The other Regions are called “ordinary Regions”.

In fact, only in 1970 – many years after the Constitution was promulgated (1948) – the ordinary Regions, were established. This delay was due to a strong governmental inertia, restraining the most innovative feature of the Constitution (Barbera/Fusaro, 2001: 311).³⁹

Hence, the decentralization process started at a slow pace, and it started to become relevant especially with the Presidential Order 616/1977, giving Local Authorities many administrative competences, especially in the area of social assistance (Vandelli, 2004: 119).

In spite of this devolution process, paradoxically public expenditure became more and more centralized, so that the decentralization model languished for lack of financial autonomy (for a more detailed analysis, see next section).

After this stage of incomplete decentralization, both on the institutional and financial side, at the beginning of the Nineties a new reform stage started, to begin with the institutional frame designing local autonomy.

Law 142/90, concerning the system of Local Authorities, gave new powers to Municipalities and Provinces to adopt their own statutes and to define their internal organisation. Moreover, with this law, Municipalities represent the general interest of a local community, and perform all the administrative duties related to that community⁴⁰ (Kazepov/Barberis, 2005: 12).

Other acts followed the Law 142/90 and changed the institutional frame of Local Authorities. In relation with a collapse of the party system legitimacy after investigations for bribery involving a number of first-rate politicians at the national and local level (especially belonging to the major government parties, the Socialist Party and the Catholic Democracy) (Righettini, 2005: 6), in 1993 the electoral law was changed: with the Law 81/93, town mayors and presidents of the provincial authority are directly elected by the citizens, and no more appointed by the assembly (Barbera/Fusaro, 2001: 311).

In more general term, the Law 81/93 establishes a system of check and balances centred on the mayor/president, with a growing personalization of the local leadership (Ramella, 2005: 5) and a deep change in the previous institutional setting.

³⁹ Just to provide a short historical note: after the Constitution was promulgated, until the Sixties Italy was ruled by party coalitions whose major party was the Christian Democracy (DC), a Catholic party. From the political point of view, this period is characterized by a harsh ideological confrontation against the opposition (especially the Italian Communist Party, PCI) and a moderate policy line, which has slowed down the pace of implementation of the Constitution, especially the provisions concerning freedoms and civil rights (Barbera/Fusaro, 2001: 406). Since the second half of the Sixties, different factors (both at a national and at an international level) eased the path toward centre-left governments, so that the Italian Socialist Party became part of the government coalition. Hence, governments became more reform-oriented, and the implementation of Constitutional rules was faster.

⁴⁰ Moreover, law 142/90 refer to others important aspects for the local government, such as:
a) state monitoring: limits of the state control on the Local Authority's acts.

b) new modalities of partnership between Municipalities and other scales of government: in the first case, law 142/90 refers to the covenants, as new modality of partnership between Municipalities and Provinces, aimed at managing tasks and services. In the second, it refers to the Programme Agreements (between Municipalities, Provinces, Regions, state administrations or other public authorities) aimed at carry out specific public works;

c) local finance: the financial autonomy is acknowledged thanks to assured funding (own and transferred) and, in particular, the taxation power.

2.2.1 Administrative federalism

When Law 81/93 started to be in force, administrative federalism became a political issue in the Italian debate. The debate was based on two major concerns: the adaptation of the institutional frame to the new setting of local governments (i.e. the election of the mayors), and the deep financial crisis at the national level, that had to be solved in order to meet the EU requirements (Righettini, 2005: 9).

New acts, aimed at affecting structurally the organization and action of Local Authorities, were passed, reaching the maximum level of autonomy possible in the frame of the 1948 Constitutional Law (*ibidem*): Law 59/97 (so-called Bassanini Law⁴¹) authorized the government to give the Local Authorities new responsibilities; Law 127/97 (so-called Second Bassanini Law) authorized the government to facilitate and simplify the public administration; the Law 191/98 (so-called Third Bassanini Law) and the implementation decrees. This set of laws was aimed at intervening on two main issues (Vandelli, 2004: 32):

a) Functions (especially Law 59/97 and decree 112/98)

Devolution of state power, obligations and duties Regions and Local Authorities, according to the principle of *vertical subsidiarity*.⁴² This implied that only some matters are exclusively state competence (e.g. foreign affairs; foreign commerce; army and security; justice; university and scientific research; major infrastructures, etc.). The implementation of the Bassanini Laws had as a consequence that some 40% of state functions were devolved to Regions, Provinces and Municipalities (Raimondo, 2001: 5). From the point of view of local development, the devolution of industrial policies has been very relevant, the State being just liable for general trends in this field (*ibidem*). The Provinces were considerably involved in the devolution process becoming responsible for instance of labour market, training and transport policies.

b) Regulation autonomy (especially Law 127/97)

The regulatory and managerial autonomy of Local Authorities has been increased by a cutback of external controls and a simplification of proceedings. The Bassanini Laws simplified bureaucracy by means of self-certifications and the silence-assent system (i.e. if a request isn't rejected within a given period, it is to be considered as approved)⁴³ (Kazepov/Sabatinelli, 2002: 16).

Moreover, Bassanini Laws helped in the innovation of administration methods, too: in fact, the duties to be devolved, their local allotment and their funding were decided in a multi-level governance process involving the State, the Regions and the Local Authorities at the national level and the Regions and their Local Authorities at the sub-national level (Vandelli, 2004: 32).⁴⁴

⁴¹ These laws are named after Franco Bassanini, Minister of the Public administration in the centre-left governments (1996-2001).

⁴² With the Bassanini Laws this principle entered the Italian legal system for the first time (Ieva, 2001: 86): they establish that usually the administration is up to the Local Authorities, with the exception of tasks better coped at a regional level (Barbera/Fusaro, 2001: 312).

⁴³ According to some estimates, in the first three years of implementation the number of public certificates per year dropped from 75 to 25 millions (Kazepov/Sabatinelli, 2002: 16). Nevertheless, the over-bureaucratization of the Italian state is still a basic problem.

⁴⁴ At the national level, the decree 281/97 instituted the so-called Joint Board, that connected the State-Regions Board and the State-cities-Local Authorities board (Virga, 2003: 8). The agreements got by the Joint Board have been essential in the implementation of the decentralization process, and it had consequences also on the principles and methods agreed in the sub-national boards, providing a coherent implementation at different levels (Vandelli 2004, 33).

Hence, a large part of the Regions have agreed with their Municipalities the standards of joint service management, in order to cope with the problems of smaller towns (see note 40).

In the same period, also the financial autonomy of Regions, Provinces and Municipalities increased. Important steps have been made from a transfer-based system to a more balanced one, where the local taxes become prominent and the state funds lost their relevance in the system of local finance (Righettini, 2005: 9) (more specifically, see next section).

2.2.2 The reform of chapter V of the constitution

A further reinforcement of powers and duties transferred to Local Authorities was the reform of the Chapter 5 of the Constitutional Law which took place in 2001.

The first innovation introduced by the constitutional reform was the acknowledgment of all scales as basic parts of the Republic (Righettini, 2005: 11). In other words, Municipalities, Provinces, Metropolitan cities and Regions have the same legal status as the State (art. 114). The reform puts Municipalities at the beginning of the list, underlining in this way the basic role of Local Authorities. This shift was aimed at stressing the importance of community-based needs, according to the principle of *vertical subsidiarity*. In the same article (art. 114, paragraph 2), statutory autonomy is granted to every Local Authority: this is a very important feature, because previously this kind of autonomy was included only in ordinary laws (i.e. Law 142/90, paragraph 1), while now it has a constitutional rank.

Another important novelty is the new wording of art. 117, concerning the legislative balance between the State and the Regions. The reformed art. 117 overturns the previous power pattern: originally, only the subjects under regional concurrent legislative power were listed (Righettini, 2005: 11). Nowadays, only tasks and subjects up to the State (or to the State and the Regions together) are listed. The others are under the sole legislative power of Regions, according to a residual criterion (Bartole et al., 2003: 155). Besides the subjects to be exclusively dealt with at a national level, anyway, the State has also to decide the basic performance levels to be achieved as far as civil and social rights are concerned. Regions have to comply with these levels, according to the principle of jointly liable federalism⁴⁵ (Vandelli, 2004: 40).

After the 2001 reform, the Constitution is used to assign the Municipalities administration tasks, exception is made for assignments to Provinces, Metropolitan Cities, Regions and States when a coordination is needed (art. 118). As a consequence, the principle of vertical subsidiarity is fully part of the Italian legal system, but is mitigated by the principles of *adequacy* and *differentiation* (Vandelli, 2004: 121). Thus, the most part of tasks and functions are up to the authority which is territorially and functionally closer to the citizens (vertical subsidiarity) (Virga, 2003: 8), but the Constitution mentions also the *adequacy*, i.e. the need for a proper organization of the institutions managing the task. Furthermore, the allocation of tasks and duties has to take into account the differences existing at the institutional and administrative level of the involved authorities (principle of *differentiation*).

These criteria are very important in the Italian institutional context, where the municipal fragmentation is characterised by the existence of different competences and administrative struc-

⁴⁵ The setting of basic performance levels provides an important balance between the increasing localization of Italian institutions and the need for a common and nationally homogeneous citizenship right system. According to Alti/Iurleo (2005: 120-1), from a juristic point of view the basic levels refer more to social than to civil rights. In fact, in the new Chapter 5 the art. 117 assigns to the sole state liability some matters related to civil rights, such as legal system, public order, security, trial rulings... (*ibidem*). As far as the social rights are concerned, the basic levels are essential in the social security, actually totally up to the Regions.

tures (Bartole et al., 2003: 174). Hence, duties can be up to the Municipalities (or to joint Municipalities, so called “consorzi”) only if they can manage them adequately. On the contrary, the upper institutional level is liable (usually the Province). Moreover, art. 118 considers also the principle of horizontal subsidiarity: it implies that the different institutional levels foster the participation of non-state and non-public actors in addressing public interest.⁴⁶

The new financial autonomy

With the new chapter 5 of the constitution, financial autonomy (both in terms of revenue and expenditure) is acknowledged not only to the Regions, but also to Municipalities, Provinces and metropolitan cities. The revenues the Local Authorities can rely on come from (Barbera/Fusaro, 2001: 318; Vandelli, 2004: 195):

- *Own taxes and revenues*: Local Authorities can decide their own taxes and revenues, though in a coordinated way within the public fiscal system. Local Authorities can also reckon on a sharing of the national fiscal revenues collected in their own territory;
- *Equalization fund*: the State institutes an equalization fund aimed at assuring supplemental (unbounded) revenues to areas with less fiscal capacity. The provision of equalization resources allocated by the State is part of the system of “jointly liable federalism” afore mentioned.
- *Further transfers*: coming from the State (often targeted to specific issues), they are aimed at counteracting social and economic unbalances among different areas of the country.

According to the Constitution, the resources have to be sufficient to assure the running of Local Authorities, even though Local Authorities themselves are allowed to indebt, but only for major investments. Hence, it is not possible to get into debt to meet current expenditure (e.g. public employees’ wages), while art. 119 absolutely excludes that the State can vouch for Local Authorities. As a consequence, the fund-rising relies only on the institution’s reliability on the financial markets (Barbera/Fusaro, 2001: 318).

The table below shows, in a comparative perspective with the old chapter V, the main institutional change involved in the reform.

⁴⁶ Anyway the prevalent interpretation of the art. 118 doesn’t consider the public action residual or marginal.

Table 2 Title V of the Constitution before and after the reform

	Title V before the reform	Title V after the reform
Scales and autonomy Art. 114	The Republic is divided into Regions, Provinces and Municipalities	The autonomous authorities – Municipalities, Provinces, Metropolitan Cities and Regions – make up the Republic, together with the State
Special autonomy Art. 116	Special autonomy for Sicily, Sardinia, Trentino-Alto Adige, Friuli-Venice Giulia, Aosta Valley.	Special statute Regions are reaffirmed. In addition, the Parliament can bestow (in agreement with the concerned Region) further autonomy in every subject rule together by Regions and State and in some of the matter ruled solely by the State (e.g. education, environmental protection)
Legislative power of the Regions Art. 117	List of the subjects the Regions can rule complying with the frame principles given by the State	The balance criterion is reversed. Regions are liable for every matter not included in the article. The State has to decide the basic performance levels.
Administration and subsidiarity Art. 118	Administration is bestowed to the Regions, that in case can delegate it to Municipalities and Provinces.	All the administration competences are up to the Municipalities or (according to the principle of vertical subsidiarity) to Provinces, Metropolitan cities, Regions and the State. Public authorities foster individual and associated citizens' initiatives aimed at carrying out actions of public interest (according to the principle of horizontal subsidiarity)
Financial autonomy Art. 119	The regional financial autonomy is stated in general terms	Acknowledgment of the financial autonomy of every autonomous authority, that can also reckon on shares of the state tax revenues collected in their own territory. In order to assure the equality, an equalization fund, targeting areas with lower fiscal capacity, is instituted. Moreover, the State can grant further resources aimed at reducing economic and social imbalances between different authorities.

our elaborations on Vandelli (2004: 44)

2.2.3 The implementation of the reform and the devolution process

The recent implementation of the constitutional reform has been characterized by high levels of contentions between State and Regions. This fact is due on the one side to the number of Regional Laws ruling the new duties and tasks given by the Constitutional reform – systematically impugned by the Government – and, on the other side, by the change in the government major-⁴⁷, less interested in the implementation of the reform (Bartole et al., 2003: 236).

⁴⁷ General election in May 2001 was won by the centre-left coalition, whose leader is Silvio Berlusconi. Even though the constitutional reform is in force from October 2001 (after the confirmative referendum), it is totally due to the centre-left coalition, while the centre right parties always opposed.

Anyway, in 2003, in a very conflictual atmosphere between State and Regions, the Parliament passed the Law 131 (so-called “La Loggia Law”⁴⁸), pertaining the adjustment of the legal system to the constitutional reform. The Law 131 includes many delegations to the Government on matters jointly ruled by State and Regions and on the ruling of Local Authorities.⁴⁹ Up to now the Government has not used the delegation and the implementations of the constitutional reform remains in an “institutional vacuum”. In addition, a new (partial) change of the chapter five of the constitution has been approved recently by the parliament, with the so-called “devolution”.

Besides subjects ruled by the State and by State and Regions together, and beside the principle of *residuality*⁵⁰, the “devolution” adds a fourth paragraph, concerning subjects solely ruled by the Regions. According to the new paragraph, these subjects are: health assistance and organization, school organization and local police⁵¹.

What is more relevant is the decision about the fact that ruling or not on these matters is discretionary up to the Regions, so that a fragmented regional system becomes an even more concrete option.⁵²

According to some scholars, the “devolution” will engender stark contradictions (Bartole et al., 2003). As a matter of fact, firstly the meaning of the wording “solely ruled” (by the Regions) is not clear, since the other parts of the art. 117 aren’t abrogated. Secondly, new problems will be added to the current ones (engendered by the reform of the chapter 5 itself), potentially to the detriment of the Regions. In fact, the explicit sole ruling only of the three subjects mentioned above could lead to a limitation of regional liability on the non mentioned matters.

In short, the “devolution” seems neither to answer the problems engendered by the old reform of the chapter 5 nor to increase regional legislative power. It is primarily the outcome of a negotiation process between conflicting priorities within the government coalition: on the one side, the localist priorities of the Northern League (rooted in Northern Regions) are aimed at a complete regional devolution, inspired by the UK model; on the other side, the priorities of AN (Na-

⁴⁸ It is named after the centre-right Minister of Regional Affairs, Enrico La Loggia.

⁴⁹ According to the reformed art. 117 of the Constitution, electoral law, government bodies, basic working of Municipalities, Provinces and metropolitan cities are solely up to the State. Hence, the State has to define Local Authorities’ basic duties and tasks and to adjust incompatibility between new constitutional rules and previous Laws in the field of local autonomy (Bartole et al., 2003).

⁵⁰ It means that subjects not listed among the matters ruled by the state or by the state and the Regions are up to the Regions.

⁵¹ The new paragraph, states: “The following matters are solely up to the State: a) health assistance and organization; b) school organization, management of education and training institutions, exception made for the autonomy of school institutions; c) definition of school and training curricula with specific reference to regional interests; d) local police”.

It is worth saying that nowadays these subjects are already up to the Regions, even though together with the State (Bartole et al., 2003: 238). In the first case, art. 117 wording refer to “health protection”, as a reference to the art. 32 of the constitution, where the right to a good health is stated. In the second case, the innovation is the definition of school curricula, because the management of education institution and the training were already solely up to the Regions. In fact, the State can only define general education principles. In the last case, local police is already up to the Regions, because it is not included in the list of State or State-Regions ruling. According to the Minister of Justice, Roberto Castelli (Bordignon/Pisauro, 2002: 1), local police will become a new police branch aimed at coping with street crime.

⁵² According to Vandelli (2004: 46), the devolution lays the foundations for a decomposition of national health, education and security systems, with advantages for richer Regions to the detriment of poor ones.

tional Alliance) and UDC (Christian-Democratic Union) are aimed at safeguarding the central state powers and limiting the Northern League's devolution trends. Besides the political implications, the main problem of the devolution is its impact on the Italian institutional context. In fact, the new constitutional reform can potentially contribute to the reproduction of the institutional fragmentation – structurally embedded in the Italian context – reinforcing inequalities and the north-south divide.

2.3 Resources flows among territorial levels

From a financial point of view, Italy has been for a long time characterized by a very centralized management of public expenditure. This feature changed only from the mid-1990s (Bosi, 2003: 233), when the share of sub-national expenditure began growing. As it is possible to see in the appendix data (tab. 2),⁵³ state public endowments are quite steady in the period 1990-1995 (some 57%), while in the period 1995-2000 they drops by 6,7%, together with a rise of sub-national endowments (+6,4% in the decade 1990-2000). The latter phenomenon is more due to regional expenditure (+4,9%) than to municipal one (+1,5%). 2002 data corroborate the trend, since state endowments decrease again (-0,6% in 2000), municipal ones increase, while regional ones are stable (see appendix data, tab. 2).⁵⁴

Together with the decentralization of public expenditure, also the sub-national financing system changed considerably: actually, from the mid-1990s onward, many new rules extended local taxation and centre-periphery transfers (Brosio et al., 2003: 242), so that decentralized finances are becoming more and more autonomous. In the following paragraphs we will elaborate on the regional and municipal financing system, and their recent reforms.

2.3.1 The financing of Regions under ordinary ruling⁵⁵

Till the 1990s, the financing system of Regions under ordinary ruling was characterized a weak autonomous taxation and a large amount of state transfers.⁵⁶ As a matter of fact, even though the

⁵³ Percentages refer to state, regional and local (Municipalities and Provinces) shares of public expenditure (whose total is 100).

⁵⁴ Together with the decentralization process, it is possible to notice a decrease of expenditure as a share of GDP (from 37,9% in 1990 to 31,6% in 2002), due to financial manoeuvres required to match European integration criteria. In this respect, in 1997 the decentralization of expenditure and the European standards were matched in the so-called “Inland steadiness agreement”, i.e. a planning of Local Authorities' commitment to achieve debt levels defined by the state. At the moment (Bosi, 2003), no sanction for infringements have been ruled, even though it is likely that Local Authorities will concur in paying costs of impinged standards.

⁵⁵ In this paragraph, for sake of simplicity, we will focus only on the financing system of Regions under ordinary ruling, while we won't take into account Regions under special rule, that – due to their autonomy – traditionally benefited from a more decentralized financing system.

⁵⁶ This system was politically justified according to two argumentations (Zanardi, 2003: 9): a) bounded transfers were intended as a screening of the amount and itemization of regional expenditure; b) the great share of transfers on regional budgets was aimed at re-distributing resources throughout the country (especially between developed Northern Regions and depressed Southern Regions. In the long run, outcomes were much different than expected: on the one side, in spite of huge transfers, the North/South divide didn't shrink (Bosi, 2003: 236); on the other side, the negative side-effect of a “financially irresponsible” and not shared decentralization became visible (Righettini, 2002: 1), with a growth of public deficit.

Constitution states financial autonomy for the Regions by own levies and a share of state revenues (art. 119), for a long time state laws didn't comply with the constitutional wording (Antonini, 2003). On the one side until 1995 the regional shares of state revenues were merged into a unified regional fund (art. 8, law 281/70) under the discretionary rule of state budget; on the other side, autonomous taxation was limited to the definition of additional shares on minor levies and taxes.⁵⁷ In this way, the configuration of the financing system was very centralized and based on a number of diverse and bounded state transfers,⁵⁸ of those the most important was the national health fund established by law 833/78) (Antonini, 2003: 12). At the beginning of 1980s, the share of state transfers on the total regional revenues was 97,6% (4/5 bound to specific uses), while own tax revenues were only 1,2%.

The situation begins to change after the mid-1990s. Actually, after the 1992 crisis and the EU pressures due to the monetary integration, fiscal decentralization favoured Regions. The new financial law (law 549/95) established a set of measures that increased Regions' autonomous revenues and decreased state transfers (among the others: a consistent regional share on petrol excise tax (which in Italy is very high), the regional tax for funding university access, and the regional tax on waste (Brosio et al., 2003: 180). As a consequence, the share of autonomous revenues on the total regional revenues passed from 1,9% in 1990 to 15,4% in 1996, while state transfers decreased in the same period by 14% (from 97,4% to 83,2%), due to a gradual abrogation of bounded state funds.

Another important step helping regional fiscal autonomy is the decree 446/97 that instituted IRAP, (*Imposta Regionale Attività Produttive*) a regional tax on productive activities giving Regions a partial autonomy (being mainly used to fund expenditure on health services)⁵⁹ (Antonini, 2003: 16). Despite its bounded use, from 2000 Regions were able to have an own taxation autonomy because they could increase the tax by 1% or differentiate its share by taxpayers' categories (Bosi, 2003: 243). The same decree 446/97 stated a regional share on IRPEF (*Imposta sul Reddito delle Persone Fisiche*, personal income tax), one of the largest resources Regions can access (though less than IRAP) (Brosio, 2003: 13).

The first step towards a full regional financial autonomy (Antonini, 2003: 18) is the law 133/99 that stated the gradual end of any state transfer, replaced by a set of other revenues (Liberati, 1999: 114): a) an increase of the regional share on petrol excise tax; b) an increase of the regional share on IRPEF (from 0,5-1% to 0,9-1,4%); c) a new share on value-added tax revenues.

Besides, law 133/99 establishes also a state equalization fund, to be allocated at regional level according to rigorous criteria (e.g.: regional fiscal revenues buy own taxes and state transfers; health system requirements, etc.) (Piperno, 2001: 6). Law 133/99 was implemented by decree 56/00, that instituted the new regional autonomous revenue system (starting from 2001). Decree 56/00 substantiates law 133/99 by defining regional tax levels and shares (e.g.: regional share

⁵⁷ For example the tax on grants of state properties, tax on grants of regional properties, motor tax, tax on land use, etc. (Zanetta, 2003: 175).

⁵⁸ Besides the regional common fund and the health fund, other funds financing Regions under ordinary ruling were the national transport fund and the fund for regional development (Liberati, 1999: 110).

⁵⁹ IRAP is a fundamental step for the change of Italian health expenditure. Actually, from the 1990s onward, measures aimed at increasing regional responsibility and accountability were passed, aimed at reducing deficit and finding new resources (Zanardi, 2003). In a first stage (1992), state assigned health funding directly to Regions, being a huge share of regional finances (Bosi et al., 2003: 12). In a second stage, the aforementioned IRAP was instituted (in 1999 it accounted for 38% of all regional funding) and almost replaced abolished health funds. The third step (nowadays) foresees the gradual abolition of the National Health Fund, replaced by a share on value-added tax. Therefore, in the long run there is a shift from a centralized to a mainly regional financing system: in 1980, 100% of revenues were state, while in 2002 87,4% were regional.

on value-added tax = 25,7% in 2000, 38,55% in 2001) intended to replace the end of state transfers. Besides, the national equalization fund is put into effect, mainly funded by shares on value-added tax.⁶⁰

Among the criteria of allocation of this fund, the one pertaining fiscal revenues foresees a so-called “solidarity factor”, i.e. regional per-capita fiscal revenue is equalized to 90% of national average. This threshold (instead of 100%) is intended as a hindrance against eventual free-riding behaviours by Regions (Bordignon, 2005a).

The aforementioned rules engender in a short time a valuable increase of regional own revenues, passed from 15,4% in 1996 to 45,6% in 2001, together with a considerable drop of state transfers (ca. -29%). Nowadays, Regions’ financing system is made up as follows:

- *own taxes*: in 2004, they account for 45,6% of all revenues. They include IRAP and other minor taxes, regional share on IRPEF, regional share on petrol excise tax (13 euro-cents/litre). The regional share on value-added tax, as we said above, is not very relevant here, because it is mainly used to fund interregional equalization;
- *state transfers*: in 2004 they still account for more than half of regional revenues, though more and more decreasing (-0,6% on 2001). Besides, their partition is changing, with a quick drop of bounded transfers (39,7% in 2001, 30% in 2004) and a related growth of unbounded transfers.⁶¹

2.3.2 The financing of Municipalities

Municipal revenues have been characterized for a long time by revenues depending from other territorial levels, like Regions. However, differently from Regions (instituted only in 1971), Municipalities achieved an important financial autonomy from the early 1970s, due to a wide range of local levies.⁶² After 1975 fiscal reform (Bordignon, 2000: 15), state government centralized revenues, getting more and more rid of local taxes and replacing them with state transfers. The outcomes of this reform can be seen looking at the partition of municipal revenues in 1970 and 1979 (Piperno, 2000: 16).

As a matter of fact, in 1970 (before the reform) own taxes accounted for 58,8% of municipal revenues, while state transfers were 23%. After the full implementation of the reform, this partition changes thoroughly: in 1979 (after the reform), the share of own taxes on municipal revenues drops to 11,2%, while state transfers rise enormously to 79,1% (see appendix data, table 2).

In the short run, this system disconnecting fund-rising and expenditure nourished a dangerous policy line, based on a widespread irresponsibility and lack of accountancy by local administrations, both in the expenditure levels and in the tax collection (Vandelli, 2004: 192). Because of

⁶⁰ The law rules a first two-year period (2000-2001) in which the allocation was based on past regional expenditure. In the following two-year period (2002-2003), this criterion should decrease its importance by 10%. From 2004 and every year until 2013, past expenditure criterion decreases its importance by 10% while equalized criterion increases by 10% every year (Piperno, 2000: 25).

⁶¹ Nowadays, the sharing of resources according the decree 56/00 has been stopped by the government, after a harsh hostility from Southern Regions, disadvantaged by the partition criteria. According to the Audit Office, this unfairness is due to the dissimilarity between criteria enforced by the government and criteria stated in the decree 56/00 (Corte dei Conti, 2005a: 116).

⁶² From a comparative point of view, Fargion (2000: 52) maintains that in the 1960s in Italy tax level (as a percentage of GDP) was lower than the EU average. For example, local tax level in Italy was 2,6%, while in Sweden 5,3%, in UK 3,1%, in France 2,8%.

this deterioration of Local Authorities, following laws tried some remedies, such as the compulsory budgetary balance. This regulation was implemented through a set of yearly decrees, in which State ruled the limitation of local expenditure (tools, matters, etc.). As a criterion for screening local expenditure and allocating state transfers, the “past expenditure” was taken into consideration: it stated an expenditure for a Municipality on the same level as the previous year, increased by a share ruled by a state law⁶³ (Righettini, 2005: 2).

From the 1980s, state transfers based only on the criterion of “past expenditure” (Bosi, 2003: 249) were partly replaced by a new equalization fund, whose allocation was more grounded on Municipalities’ requirements. The aim of this fund was a fairer allocation of resources among Municipalities, especially taking into account their size and their economic context⁶⁴ (Piperno, 2000: 18). Between 1982 and 1990 (see table 2), the share of equalization transfers on total transfers raised by 34,8%, while “past-based” transfer were halved. However, as a matter of fact there was no positive outcome as far as fairness and effectiveness are concerned (Piperno, 2000: 18).

At the beginning of 1990s, the municipal financing system changes radically: under the pressure of economic and political crisis, due to the burst of state public debt and the collapse of traditional political parties, new measures are passed, aimed at making more accountable expenditure management by Local Authorities (Bordignon, 2005a: 8).

Table 3 The system of transfers to municipal government, before and after the reform (1980-2003)

	1982	1984	1990	1994	2001	2004
<i>Distributing criteria (1977-1993)</i>						
Historical expenditure	95,8	82,0	45,6	-	-	-
Specific transfers	-	2,1	16,0	-	-	-
Equalization transfers	4,2	15,9	38,4	-	-	-
<i>Distributing criteria (1994 -)</i>						
Recurrent found	-	-	-	51,7	59,2	46,6
Equalization fund	-	-	-	2,8	6,6	12,3
Conditional fund	-	-	-	13,8	15,1	21,8
Investment found (*)	-	-	-	31,6	18,4	19,7

Piperno (2000) and personal processing on data from Ministero dell’Economia e delle Finanze (2001; 2004); Note: (*) This fund includes two funds: the Investment Fund and the Specific Investment Fund.

The most important changes occurred in 1992 (decree 504/92), when ICI (*Imposta Comunale Immobili*, municipal real estate tax) was instituted, and became the main local revenue. The new tax in a short time increases considerably the municipal fiscal autonomy, with an increase of own taxes and a related decrease of state transfers. As a consequence, between 1990 and 1995 the share of own taxes on the total municipal revenues rises by 18% (from 19,1% to 37,8%), while transfers drop by 21,5% (from 65,2% to 43,7%).

As for transfers, in 1993 finally the criterion of “past expenditure” has been abolished, while new funds were established (Liberati, 1999; Bosi, 2003; Brosio, 2003):

⁶³ Paradoxically Municipalities with a high past debt took advantage from this criterion (Bordignon, 2005a: 8).

⁶⁴ These transfers were aimed at (Piperno, 2000): a) equalize per capita resources among Municipalities with similar size; b) assign more resources to smallest and biggest Municipalities (given that costs of services is U-shaped).

- *ordinary fund*: targeted at funding ordinary expenditure for the so-called “essential services”, agreed by the Ministry of Interior and the State-Municipalities Board, i.e. the minimum services to be assured in the whole country;⁶⁵
- *equalization fund*: allocated to Municipalities with revenues and taxable income lower than the average of Municipalities with similar sizes;
- *consolidated fund*: it gathers a number of bounded state transfers, accorded by special laws.

Between 1995 and 2001 (see tab. 1), the distribution of the funds show the large share of the ordinary fund (increased by 7% in the period, it covered 2/3 of total state transfers), the gradual increase of equalization fund and the drop of resources for investments (-13%).

The changing partition of state transfers is also reflected in the gradual drop of their share on total municipal revenues, so that own taxes grew by 5% in a decade.

Nowadays, municipal funding system is structured as follows:

- *own taxes*: in 2003, they are 50,3% of all municipal revenues, with a further increase (+10% on 2000 value), mainly due to a new share on IRPEF.⁶⁶ Own taxes are the mentioned share on IRPEF, the municipal real estate tax, the waste tax (TARSU)⁶⁷ and a set of minor taxes (e.g. the share on electric power tax);
- *state transfers*: they account for 29% of total municipal revenues in 2004. In the last years (2000-2003), they drop by 9,8%. Among them, the ordinary funds' share drops by 12,6%, while equalization and bounded funds grew (+5,7% and +6,7%). It is worth mentioning that a new source is given by regional transfers (+3,5% in the period).⁶⁸

2.3.3 Recent tendencies in the field of financial decentralization

Soon, financial decentralization process was hindered by government inertia and a changed national political agenda. As a matter of fact, the so-called “fiscal federalism” – stated in the reformed art. 119 of the Constitution” – never came true. With this regard, in 2003 the government instituted a commission of study⁶⁹ aimed at analyzing the issue. After many delays, the commission ended its activity recently, without any real result, mainly because State and Local Authorities failed to come to an agreement (Bordignon, 2005b: 2). On the other side, Regions' and Municipalities' financial autonomy has been really reduced by some state rules aimed at cutting down both local taxation and expenditure.

⁶⁵ The ordinary fund is ruled yearly by the financial law and it is allocated according to a complicated formula: Municipalities are divided into 12 size classes; then the amount for every Municipality is calculated according to criteria taking into account economic and social situation of the town and its Province (Brosio, 2003).

⁶⁶ The share on IRPEF has been established with 2001 financial law (law 388/00) and was implemented in 2002 in proportion of 4,5%, in 2003 raised to 6,5%. This share is not an added revenue for Municipalities, since ordinary transfers decreased consequently (Corte dei Conti, 2005b: 152).

⁶⁷ The TARSU is proportioned to the size of the dwelling or shop. After the decree 22/99 TARSU has gradually been replaced by a tax (TARI) based on the amount of waste (Brosio et al., 2003: 203).

⁶⁸ The growth of regional transfers is the consequence of the shift from a centralized to a regionalist/federal system, where financial relationship between Regions and Municipalities is more and more important (Bosi, 2003: 235).

⁶⁹ High Committee for the study and definition of public finance and tax system, stated in the financial law 2003 and instituted by a Prime Minister's decree in April, 9th 2003.

As for the reduction of own taxes, in 2003, the government decided to end the provision of local shares on IRPEF and of the added regional share on IRAP (in the frame of a wider attempt to cut down the tax level). As for the expenditure, budgetary troubles⁷⁰ induced the government to cut down public expenditure – especially the local one. The latter purpose was put into practice through the decree 168/04, harshly questioned by local bodies. Actually this decree not only enforced expenditure thresholds, but also stated in details items to be cut down, with an evident breach of the constitutional rule on financial autonomy.⁷¹ Asked to resolve the question, recently the Constitutional Court approved governments' decree as far as expenditure thresholds are concerned, but stated that itemization is unconstitutional, since it is up to Regions and Local Authorities (Sensini, 2005: 2).

This judgment represents the *n*th institutional quarrel between the State and Local Authorities during the last legislature, and it has been very meaningful in view of the 2006 financial law. As a matter of fact, in this law the coverage is given mainly by a further shrinkage of local expenditure, in ways similar to decree 168/04, hence at risk of unconstitutionality. On the one hand, local autonomy on the side of local expenditure could be infringed; on the other hand, the financial law could result without coverage if the Constitutional Court substantiates again its previous opinion (Lapadula, 2005: 26).

2.4 Horizontal institutions and actors (subsidiarity) at each level

From the early 1990s, in Italy horizontal subsidiarity becomes more and more a basic principle framing the relationship between public and private (especially non-profit) actors in the field of social policy. A first important step is given by the recognition of the legal status of non-profit organizations within the Italian welfare system (Ascoli et al., 2003: 156). For the first time non-profit organizations are ruled by law 266/91 and law 381/91, although only as far as volunteering organization and social cooperative societies are concerned, so that they are allowed to provide services to public institutions.

The second step has been the full recognition of non-profit organizations as partners for public organizations in the planning and management of social measures. This change was firstly due to some innovative sectorial policies (e.g. 285/97),⁷² and then it was generalized by the frame-law on social policies (law 328/00).

Law 328/00 gets rid of the traditional subaltern role of private actors in front of public ones, building up a new institutional pattern where Italian welfare system is considered plural and mixed (Kazepov/Genova, 2005): public and private agencies have an equal rank in planning and managing social measures (Ascoli et al., 2003). In general terms, law 328/00 is a crucial turning

⁷⁰ In the decree 168/04, Regions and Local Authorities were forced to reduce their expenditure by 1 – 1,5 billion euro, strictly itemized: advisors, travels and deputations, public relations, conventions, purchase of services and goods (Sensini, 2005: 3).

⁷¹ In the last five years, government's economic policy had negative effects on public budget. Actually, on the one side the EU standard of deficit threshold (3%) has been persistently exceeded; on the other side, primary assets have been reduced outstandingly; according to the Bank of Italy (Polidori, 2005: 14) this should engender a worsening of the deficit/GDP ratio, much higher than the EU average (in 2004, Italian ratio is 106,6%, while EU-25 mean is 63,8%). It is worth saying that this happened the last time in 1994 (ISTAT, 2005c).

⁷² Law 285/97 concerns rules for the promotion of children's and adolescents' rights; it put forward many issues later included in the frame law 328/00, especially (though not only) about the role of non-profit organizations at local level. For a more extensive examination of this law, see Kazepov/Barberis (2005).

point, where the principle of vertical subsidiarity (main reorganization principle in the Italian law system in the last decade) is matched with the horizontal subsidiarity (Carbone, 2005: 294), i.e. social bodies are included in all the major steps of policy-process, i.e. planning, programming, managing and evaluation (Dalla Mura, 2003: 59).

2.4.1 The new planning of social policies

As for the planning of social policies, law 328/00 is based on a multilevel governance system (Ferrera/Sacchi, 2004: 14), where Regions and Municipalities interact in a two-sided vertical relationship (both bottom-up and top-down), but also in a horizontal relationship with the main stakeholders they can find at their scale (see below). Therefore, horizontal subsidiarity has a specific meaning, where many actors can take part into the welfare system, but the final accountability and liability is up to representative elected bodies, which is responsible, from a political point of view, in front of the population⁷³ (FORMEZ, 2003).

According to law 328/00, steering and coordinating social matters is up to the State, which puts into practice its role through a three-year National Plan, written after a bargaining with Third sector organizations and Trade Unions and an agreement with Regions and Municipalities.

Regions must adopt regional Social Plans, which – in compliance of the National Plan – itemizes and prioritises a specific set of measures, agreed with Local Authorities and the main stakeholders at their level.

As for Municipalities, the planning of local measures is up to them, according to the principle of vertical subsidiarity. Of course this should occur in compliance with regional zoning and regional guidelines. Area Plans are the basic tool of the new multilevel governance system ruled by law 328/00 and the main operationalization of the horizontal subsidiarity, involving many actors at local level.

The chart in the next page is a presentation of the vertical and horizontal programming ruled by law 328/00. To sum up, the National Plan is passed after an agreement with Regions and Local Authorities through the specific joint board, the C.U.S.R.A.L. This body is chaired by the Prime Minister and it is made up by the Regional Governors and by the Chairmen of A.N.C.I. and U.P.I. (as representatives of Provinces and Municipalities). Horizontally, advisory meetings with non-profit organizations and trade unions are held.

As for the third sector, the chart just outline the vertical system of forums,⁷⁴ but it is worth noting that the set of actors involved is much more complex, especially at local level.

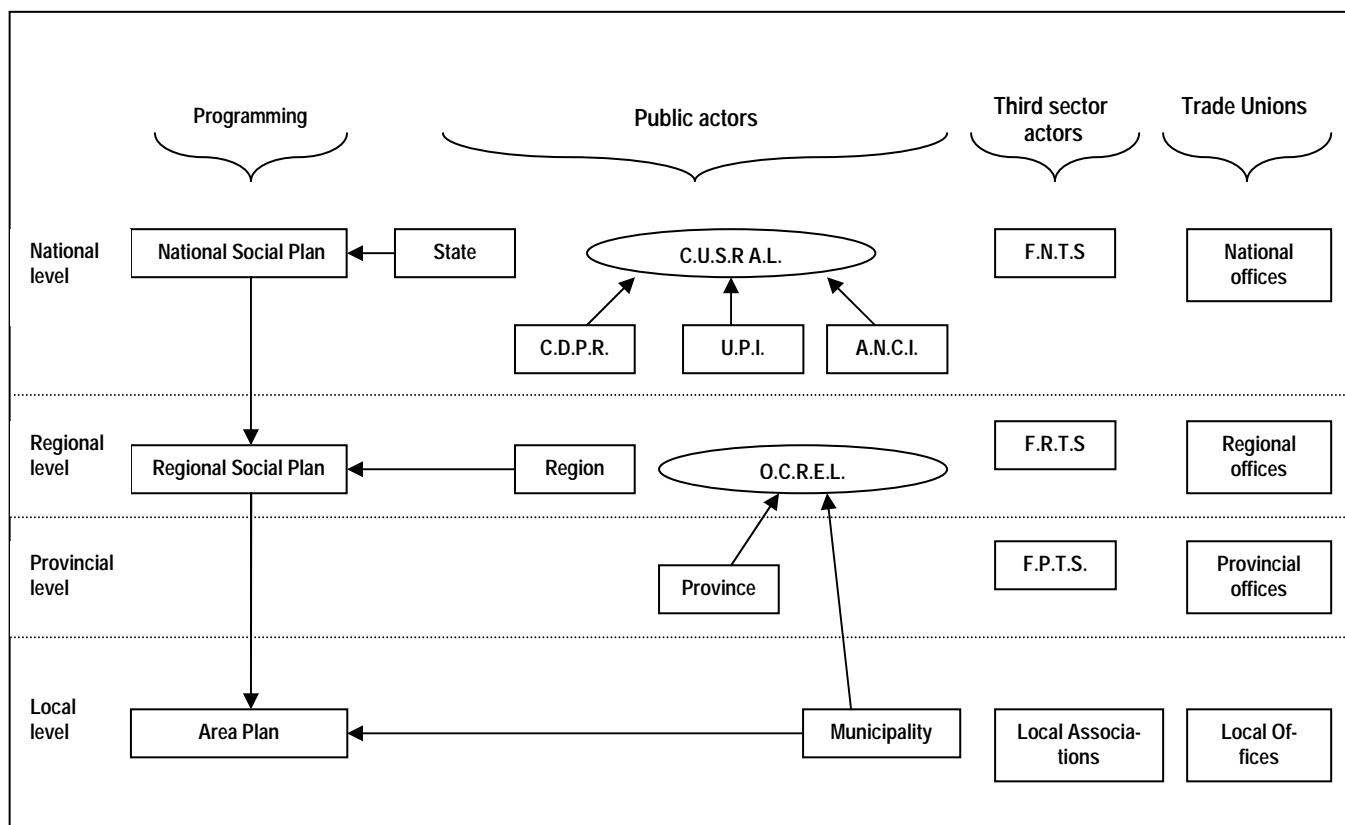
At regional level, Social plans are written according to the national standards and involving Local Authorities (through joint bodies stated in Regional statutes) and main stakeholders.

The local level is the end of the top-down process ruled in the law 328/00; here the local plan is passed by joint Municipalities, also in this case involving the larger number of actors possible.

⁷³ Moreover, this interpretation means also a refuse of the neo-liberal point of view on horizontal subsidiarity (Dalla Mura, 2003), that considers horizontal subsidiarity itself as a way of limiting the role of public action in favour of private free action and social self-organization.

⁷⁴ The permanent forum of Third Sector organizations is an association made up by other associations in 1997 (Kazepov/Sabatinelli 2002). It is an important body coordinating Third Sector organizations at the national level. In many areas there are similar associations at regional and provincial level.

Chart 1 Vertical and horizontal system of relationships according to law 328/00



Acronyms. C.U.S.R.A.L.: Joint Board State-Regions-Cities-Local Authorities; C.D.P.R.: Board of the Regional Governors; A.N.C.I.: National Association of Italian Municipalities; U.P.I.: Association of Italian Provinces; O.C.R.E.L.: Region-Local Authorities bargaining bodies; F.N.T.S.: National Forum of Third Sector associations; F.R.T.S.: Regional Forums of Third Sector associations; F.P.T.S.: Provincial Forums of Third Sector associations.

2.4.3. The funding of social policies

Law 328/00 states a multi-faceted funding system, that involves all the different territorial public bodies (the State, Regions, and Local Authorities) in a complex interlocked system. The national tool aimed at funding social policies is called National Fund for Social Policies (FNPS). It was instituted in order to overcome a traditionally fragmented and sectorial allocation system, so to make a coordinated, clear and encompassing view of disposable resources possible.

The FNPS is made up by a set of funds instituted by national laws passed before the year 2000 (e.g. law 285/97 on childhood and adolescence; law 40/98 on immigration policies; law 345/90 on drug addiction) and by additional funding determined after law 328/00. As far as the latter is concerned, law 328/00 states the amount given for the years 2000-2002, while for the following years the amount is ruled by the yearly financial law (Cogno, 2004: 219).

In a first stage, funds coming from laws passed before the year 2000 kept their original target, while the added funding was unbounded and aimed at implementing the law, especially as far as the minimum standards of social policies (Liveas) was concerned. Nevertheless, up to now such standards haven't yet been defined (see below).

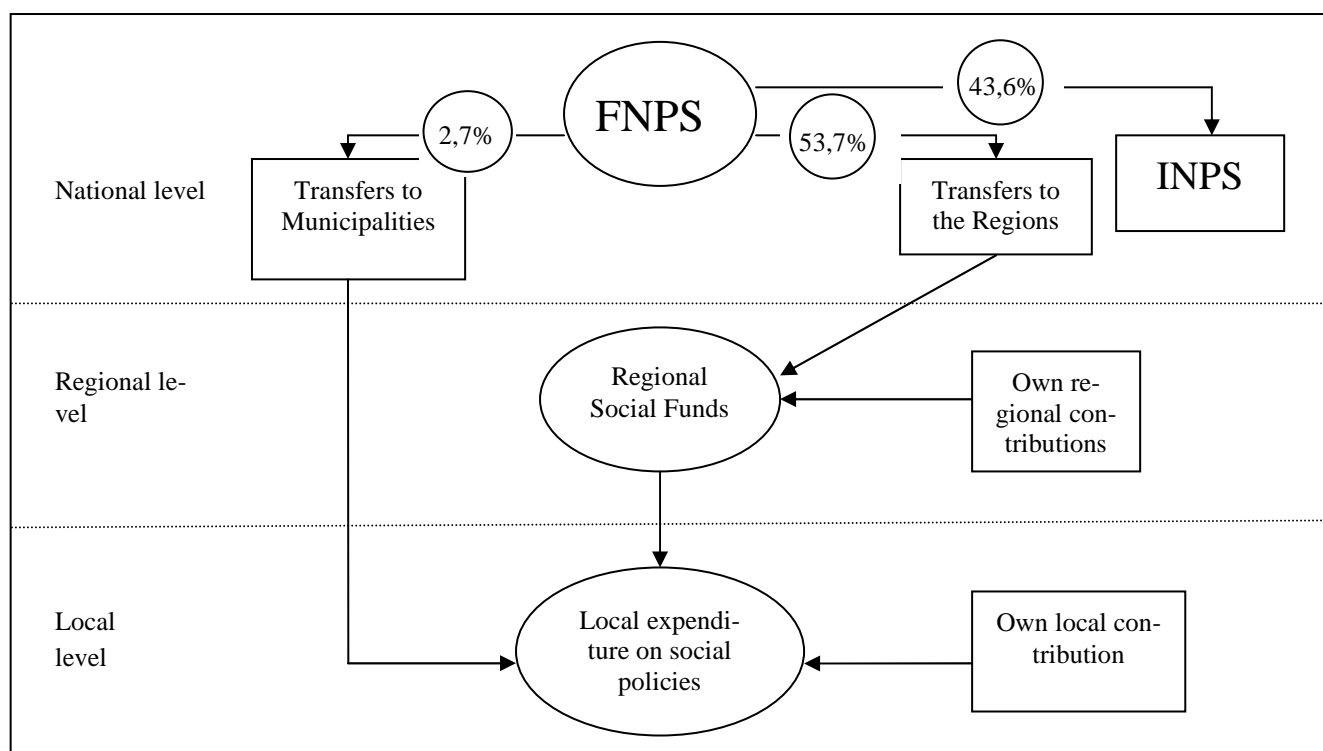
The targets of FNPS are the Regions, the Municipalities and other public agencies, e.g. the INPS (*Istituto Nazionale Previdenza Sociale*, the national social security agency), because it is

up to INPS the delivery of some assistance measures (family and parenthood allowances, etc.). Regional funding – allocated according to balanced quotas⁷⁵ – is then re-allocated to the Municipalities through the Regional Social Funds, made up by the regional share on FNPS and further funding given by the Regions themselves (supplementary principle).⁷⁶

Municipalities, joint according to neighbour and homogeneous areas, are endowed with regional, national and own funding and implement measures foreseen in the local plans (PdZ).⁷⁷

Chart 2 sketches the FNPS flows and their allocation in the year 2004.

Chart 2 Social Policy National Fund. Flows and allocation 2004



personal processing on data from Cogno (2004).

⁷⁵ According to the National Plan 2001-2003, the share of funding is balanced according to an itemization of needs (FORMEZ 2003). There are 6 main items, with their own indicators, i.e.: supporting households (resident population); children's rights (population aged 0-18 and 0-4); aged people (population aged > 65 and > 75); fight on poverty (unemployment rate; % of poor people); impaired people (n. of people with serious impairments); implementation of the reform (resident population). Every item is endowed with a given share of the FNPS: supporting households 15%; children's rights 10%; aged people 60%; fight on poverty 7%; impaired people 7%; implementation of the reform 1% (FORMEZ 2003).

⁷⁶ It means that state transfers cannot be used by Regions in order to reduce their own funding (Da Roit 2002).

⁷⁷ In 2004, direct transfers from state to Municipalities through the FNPS were only 0,6% of municipal expenditure on social assistance, while regional transfers were 15,2% (funds from the regional share on FNPS = 74,3%; added regional share = 25,7%). personal processing on data from Ministero del lavoro e delle politiche social (2005a).

Following the 2001 Constitutional Reform, the allocation of FNPS was changed according to the new Constitutional wording assigning exclusive legislative power on social assistance to the Regions (see also 2.2.2.). Therefore, all funds included in FNPS have become unbounded: the State cannot allocate funds with prescribed targets, as also a recent judgement (423/04) by the Constitution Court stated (Ministero del Lavoro e delle Politiche Sociali, 2005a).

2.5 The model of regulation: how does coordination take place?

Late reforms of Italian social policy (especially law 328/00) consider networking as a major regulation criteria for actors at different scales. Networking is both vertical (involving different territorial public bodies, i.e. the State, Regions and Local Authorities), and horizontal (involving public bodies themselves and relevant stakeholders). Hence, as we stated above, there is a multi-level governance system. Moreover, these reforms increased decentralization of social policies, conferring Municipalities with a major liability not only on the delivery but also on the planning of social policies (bottom-up approach), through a networked governance involving many actors at the local level. However, the development and the implementation of new governance practices supposedly is not happening in a homogeneous way, due to a path-dependent territorial segmentation of the institutional setting (Kazepov/Barberis, 2005).

Not by chance, the partnership system at the local level policy-making requires a set of (economic, cultural, professional) resources that aren't spread in a balanced way throughout the country (Caltabiano 2004), due to long-term causes, with divergent outcomes. Some researches on the new governance system at the local level (Carbone, 2005; Kazepov/Genova, 2005) maintain that there are big differences in the emerging regulation systems, especially according to a macro-regional divide.

According to the typology developed by Di Gaetano/Strom (2003), the aforementioned researches found that in Italy ideal-typically Northern Regions and cities adopt managerial (relationship formally ruled by contracts or bureaucratic norms) or pluralist (relationship based on the mediation and management of private conflicts) governance patterns. In the Regions in Central Italy, regulation is mainly corporative (i.e. based on the bargaining between public and private actors), while in Southern Italy governance is mainly based on patronage (give-and-take particularistic relationship) or populist (relationship as consensus-building) patterns. There are of course exceptions but this is mainstreaming.

2.5.1 Some faulty issues in the on-going changes

In the Italian case, the on-going territorial reorganization of social policies and the increased number of actors involved is facing some critical issues, with the following likely outcomes (Kazepov, 2005), on which we will elaborate in the following paragraphs: a) an increase of long-term divides; b) increasing problems in the scalar vertical networking; c) weak clearness and accountability of decision-making process.

- *An increase of long-term divides*: the decentralization of decisions and delivery is going to create strongly divided local models, both from a macro interregional point of view (North-South divide) and from an intraregional point of view (Saraceno, 2003: 251). It was believed that the balance between decentralization and universal rights was up to the State through the minimum standards, but they were never implemented, with an increase in the negative territorial effect of these reforms. Anyway, it is worth saying that also minimum standards cannot be a clear cut solution, because they could be considered as minimum starting points and not as inequality-levellers;

- *Increasing problems in the scalar vertical networking*: recent 2001 Constitutional reform has changed the balance of power between the State and the Regions. Regions have a sole legislative power on social matters – a fact that strongly weakened⁷⁸ law 328/00, because the whole planning system stated in that law failed. The first consequence has been the missed release of a new three-year National Plan, with serious consequences on the steering power of the State, also as far as key-issues stated in the NAP/inclusion are concerned;
- *Weak clearness and accountability of decision-making process*: the number of actors involved in the policy-making raises many questions concerning selection criteria and their weight on the final decisions (Gori, 2004). As Ascoli et al. (2003: 180) elucidate, in Italy professional non-profit organizations are much more able in structuring the policy agenda than smaller volunteering groups and associations. Therefore, there is a risk of polarization within the Third Sector, due to segmented skills in voicing with public authorities.

3 The process of rescaling in the four policies in Italy

3.1 Social assistance and local policies against poverty in Italy

The development of Italian social assistance policies in the last 25 years – especially as far as levels of responsibilities are concerned – has been somehow contradictory. It can be analysed along three main periods: 1) the Eighties and early Nineties, when stemming from a law decentralising responsibilities in social assistance, territorial variability increased; 2) the late Nineties, when attempts to provide a common national framework to the wide existing local variability were made; 3) the beginning of the new century, with two federalist reforms carried out by opposite governments, having an impact on the distribution of responsibilities among different institutional levels.

3.1.1 The Eighties and early Nineties

Social assistance in Italy has always been a residual area of policy. The Italian corporatist and familistic welfare state has always assumed that it is a responsibility of the family to intervene in all cases in which the individuals are not able to attain their independence and answer to their needs through their participation to the labour market (Mingione, 2001; Ferrera, 1996; 1999). In fact, most of social risks (illness, unemployment, old age, maternity, and also health care until 1978⁷⁹) were covered through insurance-based schemes; family members accessed to welfare rights through the participation to the labour market of the (male) breadwinner. Not by chance over 80% of anti-poverty measures are insurance-based, rather than assistance-based (Benassi, 1999). And not by chance, the only national universalistic social assistance measure is addressed to low income elderly (former *Pensione Sociale*, now *Assegno Sociale*). Only very limited and charity-like schemes were available for those not covered in this way, basically long-term unemployed having expired their right to unemployment benefit, persons with irregular

⁷⁸ The term ‘weakened’ has been chosen because the constitutional reform didn’t abrogate law 328/00. Actually, according to the legal principle of continuity, rules included in law 328/00 are valid till Regions pass new rules impinging law 328/00 itself.

⁷⁹ The creation of the universalistic health coverage through the structures and services of the National Health System in 1978 is the main reason to classify Italy as a *hybrid* corporatist welfare system (Ferrera, 1993).

working careers, large low income households or households with particular social problems (lone mothers, disabled members, etc.). Such schemes were often provided by old semi-public bodies inherited from the pre-republican years (before 1945), variously financed by national funds and private legacies⁸⁰, in absence of a clear national system of rights as well as of a national policy system (Saraceno, 1998).

In 1977, a national regulation intervened in the matter of social assistance. The DPR 616/77 transferred all competences relating to social assistance to the recently created Regional bodies (NUTSII, foreseen in the Constitutional Chart of 1946, but created only in 1970) that, in their turn, should legislate in order to attribute duties and resources to local bodies, and in particular to Municipalities (Kazepov, 1996). The Eighties were then characterised by this process of transfer of competencies, and by a wave of regional legislation. In absence of a national legislative framework, each Region legislated in a different way, and some Regions did not legislate at all on the subject. In their turn, the Municipalities, to which organizational and operative responsibilities were delegated by Regions with different specific modalities, got organised in very different ways as far as social assistance was concerned. The result was the reproduction and a further advance of local variability, even between bordering Municipalities, so that basically individual social rights in case of insufficient income may differ substantially according to the place of residence (Kazepov, 1996; Fargion, 1997). In a period of limited taxation power of Municipalities, resources for social assistance came from national and regional transfers, but their allocation to the social assistance sector was decided by Municipalities, in principle according to the regional regulations, and in practice pre-determined by heavy budget constraints.

All this happened in years when public resources began to appear more and more scant. Between the Eighties and the early Nineties, the economic growth came to an end, driving to the fiscal crisis of the welfare state (O'Connor, 1973; Offe, 1984), and to an enormously growing public debt, accompanied by an increasing inefficiency public action. With the deindustrialisation process and the end of full employment, one observed the massive expulsion of male adult workers from the labour market, with little chances to re-enter it before having expired their unemployment rights. At the same time, instable work contract forms began to spread, granting the access to more limited social rights (Reyneri, 2005). This originated a shift of claimants from employment services to social assistance. Also the growth of family instability (even though more limited in Italy than in other countries, it had an impact, because of the peculiar role of economic support and of income pooling that the family is given), contributed to increase those social risks that caused a growth of social assistance claimants.

In this context, the main goal was to contain social pressure due to the major shift from industrial to service economy and the appearance of structural mass adult unemployment. Youth long-term unemployment was not directly addressed as young adults are considered to be supported by their families of origins. For lack of political consensus, this was not faced through major welfare reforms that would have changed the role of social assistance within the overall welfare system, but rather through emergency-based and clientelistic initiatives, altering the original meaning of some measures in order to cover populations quotas otherwise excluded.

As a result, in these years, social assistance was made up of a varied mix of different measures, including:

- national measures used in an improper way (like the *Cassa Integrazione Straordinaria*, a special generous long-term unemployment measure for workers expelled by some big firms, or the provision of invalidity pensions to all persons unable to gain their life on the labour

⁸⁰ Category-based semi-public bodies (Ipab), former-fascist ONMI (National Motherhood and Childhood Body) structures, etc.

market, *considering* the local socio-economic context, what allowed a spread of recipients in the Southern Regions),

- local measures, depending on different levels:
 - regional measures (as for instance some housing allowances);
 - municipal schemes, concretely intervening in case of insufficient income, in a residual, category-based and discretionary way (possible because of the absence of clear individual rights to social assistance and because of the selection necessary due to the budget constraints). Each Municipality decides which measures to establish, depending on the political will and the resources available for the social assistance sector, which are anyway varying according to the size of the regional transfers.

As far as actors are concerned, in these years one observes the emerging of the Third Sector organisations (in particular volunteers' associations and social cooperatives) on the scene of social services provision, where it will soon gain a major role (Borzaga, 1999; Ascoli/Ranci, 2002). The development of the Third Sector is tightly linked with the practice of public local bodies to externalise social services, in order to reduce public spending. A tension becomes more and more evident as long as Third Sector actors gain more importance in the management of social services, about the distribution of responsibilities in each step of social intervention, with local administrations wanting a mere top-down transfer of management responsibilities as opposed to local administrations pursuing more horizontal participatory coordination models (Floris, 1999). Different situations co-exist not only in different Municipalities, but also within the same city in different policy sector or – within the same sector – for different specific interventions.

As far as resources are concerned, in these years a new financing subject appears in the field of social assistance: the European Community (later European Union). Mainly through the European Social Funds (FSE), the EC did not only have a financing role, but directed rather strongly the sectors and the modalities of social intervention. Such financing sources were of great help to local bodies facing growing social demand with scant public resources, but they contributed to impose a project-based rationale based on public tendering, that will rapidly spread.

These two phenomena, the emerging of the Third Sector and the gain of importance of the European funds are deeply interrelated. It is, in fact, largely through the European funds that Third Sector projects are financed. Or, better said, it is through strategic partnership models between Third Sector actors and local public bodies (rewarded in the regional selection criteria implementing the EU financing criteria) that projects can be financed, foreseeing a public supervision and a Third Sector management. This has enhanced even more the externalisation trend by local administrations. Yet, projects cannot substitute services, for the very reason that they are temporary initiatives, financed on a short-term base. If services are substituted by projects, this goes at detriment either of their continuity, or of their quality. This rationale will, nevertheless, expand to the point to be somehow institutionalised in some national laws (cfr. 3.2.2).

3.1.2 The late Nineties

During the second half of the Nineties, the centre-left governments (1996-2001) got committed for the reordering of the public accounts, in view of the entry in the European Monetary Union. These were, therefore, years of scant public resources. Yet, several interesting reforming attempts were made in the field of social assistance.

It is worth mentioning here a law not directly interesting social assistance, the law n. 285 of 1997 on the rights of children, adolescents and of their families, for two reasons.

First, this law represents a step forward towards the institutionalisation of:

- the public-private partnership, strongly favoured by the law, that conditions the provision of funds to the existence of a partnership (*accordo di programma*) among local actors belonging to different sectors (public, private, Third Sector), and to different institutional levels (neighbourhood, Municipality, Province, Region) (Kazepov/Sabatinelli, 2001);
- the project-based activity. As a matter of fact, this law financed innovative (in a broad sense) projects, with the idea that the established local partnerships should then find the resources to grant their continuity. This was seldom the case. Yet, the fact that the financed services widened a previously very limited public supply (true in general for in-kind services in Italy, and especially for childhood services, except in some Centre Italy Regions), dissimulated the fragility of the initiatives on the long-term.

Second, its implementation showed again an improper use of specific measures in order to fill the gaps in social assistance protection. For instance, the Municipality of Naples used the financial resources of this law in order to create a sort of minimum income scheme for households with children <18, thus overcoming – at least partially – the municipal budget constraints that impeded to answer adequately to a wide local demand for social assistance.

As far as social assistance *per sé* is concerned, in 1998 (law decree n. 237) an experimentation of a minimum income scheme, the *Reddito Minimo di Inserimento* (RMI), was started. The RMI represented the first and only attempt to establish a national minimum income scheme in Italy, with the aim to fill a main gap in the Italian welfare system, actually the only EU country with Greece not having a national minimum income measure (Ferrera, 2005). At the same time, the RMI law aimed at introducing activation features in social assistance, in line with the wave of reforms developing throughout most European countries (Heikkila/Keskitalo, 2001).

Though, after a testing phase limited in time and space, the RMI has never been institutionalised up to now. During the first two year testing phase, only 39 Municipalities were involved, mainly located in the Southern Regions, where poverty rates are higher and socio-economic development historically limited (Mingione, 1997). After an evaluation step that – even if pointing at some critical points – basically encouraged to extend the experiment, a second step was designed, enlarging the testing phase to some 300 for another two year period.

The RMI law foresaw a balance between:

- a national framework fixing a few features equally valid throughout the national territory, such as the income threshold to access the measure; the amount of the monetary support; the equivalence scale to calculate both the right to access and the amount of the monetary support to be provided according to the household size and composition; the combination of monetary support and social and job insertion projects and accompanying other measures;
- local specificities of the implementation, through the municipal design of the social insertion programs. On one side this should reflect and better answer to the local variation of social needs. On the other side, it reduced the capability of the measure to reach a certain degree of national homogeneisation of the social rights. As a matter of fact, the implementation phase, totally locally driven, can make a wide difference in terms not only of accompanying measures, but also of access criteria (e.g. through the local interpretation of the law, e.g. on the income sources to be taken into account in order to define the household disposable income) (Kazepov, 2000).

The monetary benefits were paid by the Municipalities, with national transferred funds. As in the case of the law 285/97, and in line with the European guidelines (EU, 2001; Ditch, Roberts, 2002), the law favoured the establishment of local partnerships, mainly public-Third Sector, in particular for the development of accompanying measures of social insertion. Experiences ranged again between top-down externalisation to participatory co-projecting, reaching in some

cases very broad delegations, especially where the social demand was wide and the management of the measure particularly complex (e.g. Naples). During the first two-year period over 43% of beneficiaries were involved in some socio-professional insertion project, but the outcomes of such projects were difficult to evaluate, especially on the long-term. However, only 7,5% of the beneficiaries exited the measure having overcome the need conditions, and one third of them in the Northern Municipalities (CIES, 2001). An indirect outcome of the RMI has been the spread of the use of the social contract between recipients and social workers which, at varying degrees of conditionality, informed the individual insertion project. Even though out of a specific normative context, several public offices have adopted this view in order to make social intervention more efficient⁸¹.

After a change in the government coalition, the RMI test has not been financed anymore. The political debate around it is actually stuck. The two federalist reforms approved in 2001 and 2005 (see next paragraph) have allowed to disassemble the absence of political consensus around the need to allocate stable resources to a structural welfare reform behind the technical timing of the transfer of competencies, and to shift – at least partially – the responsibility of filling such a gap to the regional level. Nevertheless, this risks to reproduce once again the scheme of regional initiative without national framework, perpetuating the existing local variability, which entails local inequalities in terms of social rights.

Parallel to the RMI testing phase, in 1999 there is the introduction of a specific allowance for low income households with at least three children <18. This kind of households is in fact described by numerous research results as being at higher risk of poverty, for the high ratio between household members and breadwinners. It is, again, a categorical measure, designed at the national level, paid by Municipalities through national funds from the INPS (National Social Insurance Institute). It is not linked to the provision of any in-kind service, and because of the low access threshold, it seems that this scheme is more efficient in reducing the poverty intensity, rather than its incidence; in other words it raises the income of eligible households closer to the poverty threshold, but does not decrease the quota of poor families (Saraceno, 2003).

As a peak of legislative effervescence on social assistance, in 2000 a new framework law has been approved (n. 328), with the aim of reorganising social policies and services. This law intended to fill a legislative *vacuum* that was lasting since more than twenty years (since the aforementioned law of 1977), giving a framework to the wide variety of existing social assistance schemes, services and rights throughout the country, fostering universalistic measures and in-kind services, and widening monetary resources for social policies.

A National Fund for Social Policies has been created, which pools resources coming from previous sector-specific laws (representing over 40% of the Fund) and additional resources. These monetary resources are transferred to the Regions, which in their turn transfer them to the Municipalities according to their own criteria. As to the policy design, there is a general national design, calling for minima standards for social services and interventions. In principle, such minima standards should be consequently specified at the lower institutional levels: the Regions should legislate coherently with the national legislation, in order to “program and coordinate” the interventions, specifying the way resources are transferred and can be spent by Municipalities, which are in charge of implementation in practice. This law has concretely enlarged the financial resources at disposal of municipal social services, allowing a wider intervention capacity and a partial widening of their severe budget constraints.

As far as goals are concerned, the law 328 is somehow contradictory, because it is the result of a compromise. In fact, it calls at the same time for individual rights to social protection and for a major role of the family as unity of welfare production. As to the actors, the law recognises and

⁸¹ On advantages and risks of conditionality in active policies (see Barbier, 2001).

somehow institutionalises the role of Third Sector organisations in the management of social policies and services, what entails the same risks already mentioned. Specific normative indications are foreseen for the partnership agreements. This helps to clarify the form and the content of the public-private relations, and represents a concrete tool to organise specific interventions previously not realised by the public local bodies (e.g. tailored programs to support homeless people in the street), but it also favours the process of contracting out of services previously directly delivered by the public administration through its own offices and services. The complex implementation of this law remains still incomplete and evaluation is rather difficult because of the contemporary federalist reforms that opened up the floor for direct Regional legislative initiatives.

3.1.3 Latest reforms

Last act of the centre-left coalition, the federalist reform was approved in 2001 only with the consensus of the governing parties, and later confirmed by a referendum with a limited participation. The constitutional reform introduced the principle of *subsidiarity*, according to which the institutions nearest to the citizens (the Municipalities) assume a central role and the independent initiatives of citizens, both individuals and associations, are encouraged. The Municipalities, Provinces, metropolitan areas and Regions have financial independence in terms of income and outlay (i.e. they levy their own taxes); a compensatory fund is set up for those territories with lower tax potential. General legislative responsibility passed from the State to the Regions, but several matters remained of exclusive state competence.

Basically in the last years Italy underwent a sort of paradoxical double movement. On the one side for the first time there is a not easy attempt to create a national framework previously non-existent, in order to organise social assistance interventions. On the other side, two reforms intervene one after the other to widen the competencies delegated at the regional level, which has in turn the power to choose how to delegate responsibilities to lower levels, that is to Municipalities.

This has produced diverging, and in some cases even contradictory results. The example of the Lombardy regional law “Regional Policies for the family” (n. 23/99) is illustrative. This law, entirely based on the central role of the family as welfare producer, was approved with the implicit aim of competing with the national framework law on social assistance 328/00 that was being prepared meanwhile, strongly affirming the fact that the legitimate institutional level to have the competency on this subject was the Region itself, as opposed to the national level. As a consequence, the tools and resources provided by the national framework law were interpreted and adapted to the rationale of the Lombardy law corpus. Therefore, coherently with the market-oriented welfare approach of the Lombardy administration, the monetary transfers intended by the national law for in-kind service provision, have been filtered by the regional regulations in order to reserve 70% to the provision of social vouchers, that is to say to the direct monetary support to individual demand, as opposed to direct provision of services (even if in practice this quota was not attained as neither the Region nor the Municipalities were ready to manage the accreditation system).

So, while the identification of national minima standards lingers, twenty years later Italy observes a new wave of regional legislation, again rather different one from another, repurposing the issue of the unequal distribution of social rights according to the residence area.

Such a risk may well be worsened by the so-called *Devolution* reform, passed only a few months ago (11/2005), which enhances the delegation of competencies to Regions, as well as the fiscal federalism. Inserted in a wider, strongly contested reform, this constitutional law was approved only with the support of the centre-right wing governing coalition. It appears clear,

then, how the federalist organisation of the State and the redistribution of competencies among institutional levels has been a hot political issue in the last years in Italy. With respect to the previous reform, Regions are given exclusive competences about health policies, schools and public safety. Social assistance is not directly interested then, except for what concerns the management of socio-health programs. More in general, it is the introduction of the fiscal federalism that has raised a sharp debate, for fear that, despite the foreseen national solidarity corrective measures, this could sharpen the differences among affluent and poor Regions, having an impact also in terms of social assistance policies and services that each Region will be able to provide to its citizens (Pitzalis/Zanardi, 2006). It is, anyway, too early to evaluate the impact of this last reform.

3.2 Employment policies⁸²

In the long run, Italian labour policies have been grounded on three pillars, (Kazepov/Sabatinelli, 2002; Baglioni et al., 2003):

- compulsory unemployment insurance, already instituted in 1919;
- a generous system of wage integration in case of temporary unemployment (“Cassa Integrazione Guadagni” CIG), which prevented the establishment of sound welfare provisions targeting people excluded from the pillar 1 due to the end of the benefit or to insufficient contributions (Ferrera 2005)⁸³. As a matter of fact, CIG was turned into a long-term subsidy for firms structurally depressed, with negative effects both for the reinsertion of dismissed workers and for public expenditure. Furthermore, this situation is matched in Italy with a system of unemployment compensations among the less developed in Europe (both in terms of amount and coverage;⁸⁴
- a rigid system of public placement agencies, based on the so-called “chiamata numerica” (literally “numeric call”), meaning that recruitment was not free, but permitted only according to unemployment duration and professional skills registered by public agencies, ranked and managed centrally by the Ministry of Labour.

This model was typical for a Keynesian labour market, where adult male bread-winners were basically fully employed, but it engendered a strong discrimination against people excluded by highly protected stable jobs, that are excluded from wage support and labour insertion measures (in which the share of active policies was marginal).

As far as the latter are concerned, the weak state regulation found its counterpart for a long time in a number of local measures promoted by sub-national authorities (Zucchetti, 2001). These measures were characterized by a strong fragmentation and diversity and by a higher concentration in Northern and Central Italy (Kazepov/Sabatinelli, 2002).

⁸² For this overview of Italian employment policies we have mostly relayed upon Baglioni et al. (2002); Graziano (2003; 2004); Kazepov/Sabatinelli (2002).

⁸³ As a matter of fact, in Italy measures supplementing compulsory insurance (usually available in a number of European countries) weren’t developed. Therefore, there isn’t a general assistance pillar targeting all people in need like RMI (Ferrera, 2005b).

⁸⁴ The lack of unemployment compensations caused – especially in Southern Regions – the use of functional equivalents to cope with risk situations: e.g., this is the case of invalidity pensions, used for a long time as a surrogate of unemployment benefits (not by chance in 2002 more than 50% of invalidity pensions were granted in Southern Italy. Ministero dell’Economia e delle Finanze, 2003).

3.2.1 First de-regulations

During the 1980s, labour policies changed according in two main directions (limited to the periods 1981-83 and 1984-89; Gualmini, 1998). On the one hand, the recession following the oil shock entailed a considerable growth of passive policies, especially targeting workers of large industrial firms under renovation.⁸⁵ On the other hand, later, when the economy restarted, more active policies were implemented, with a partnership between the government and the unions⁸⁶.

The decree 10/1984 (later passed as law 863/1984) introduces new active policy tools and new labour market de-regulations: solidarity contracts, training-work contracts and part-time contracts were instituted and aimed at increasing employment of the weakest parts of the labour force (Graziano, 2004b).

Solidarity contracts allowed firms (after an agreements with the unions) to reduce working hours, in order both to avoid eventual dismissals and to foster new recruitments⁸⁷. Training-work contracts, tested already from 1977, were aimed at fostering youth employability (targeting people aged 15-29 for no more than 2 years), matching recruitment with a training both within the firm and in classes backed by regional authorities (Gualmini, 1998: 142).⁸⁸ Part-time contracts were an important innovation, but the fiscal burden was not proportional to the worked hours, a fact that discouraged its use by the employers (Graziano, 2004a: 126).

Despite lawmakers' purposes, these new measures weren't that widespread (exception made for training-work contracts), so that a new plan was advanced (Ten-year Plan for Work, released by the socialist minister Gianni De Michelis).

The Plan suggested a policy agenda for the labour market reform, mainly based on supply policies (Graziano, 2004a: 144), i.e. on flexibility and training⁸⁹.

These trends were partly implemented through two important active policies, i.e. the law on youth self-employment in Southern Italy (law 44/1986), that foresaw financial support for selected and monitored business plans, and the reform of employment agencies, that changed their territorial scale (regional agencies were instituted, whose aim was the planning, monitoring an evaluation of local active policies).

To sum up, the 1980s were characterized by an attempt to modify more and more regulations of Italian labour policies. On the one hand, new flexible contracts were instituted, on the other

⁸⁵ Actually, in the early 1980s large industries were in a slump – including FIAT, one of the most important Italian firms. In 1980 FIAT dismissed temporarily 20,000 workers, facing a hard conflict against unions (whose role anyway was quite ineffective) (Graziano, 2004b).

⁸⁶ The so-called 'concertazione' is a three-sided policy making system, involving the government, and the biggest workers' and employers' unions. 1984 pact wasn't fully agreed, since the biggest Italian union (the socialist-communist CGIL) didn't sign it, objecting the end of the sliding scale system (an indexing system relating wages and inflation).

⁸⁷ Solidarity contracts were fostered by CISL (the second Italian union, with a Catholic background) according to the motto "less work, work for all", but CGIL and the left opposed, maintaining solidarity contracts as damaging working class' interests. Only later, during the 1990s, the reduction of working hours was fostered by the Italian left, backing the idea of the French 35 hours per week.

⁸⁸ With the decentralization process started in 1977 (decree 616), Regions had a concurrent legislative power in the field of training. Despite a state frame law on the matter, nevertheless the outcomes weren't that good (Gualmini, 1998). As a matter of fact, some Regions didn't implement measures, in this way weakening the idea of a country-wide training system, still a weak point explaining a large share of Italian youth unemployment.

⁸⁹ According to Graziano (2003; 2004a; 2004b), the Plan pays much attention to the role of Europe for the definition of long-term policies – a first example of Europe-led employment policies by Italian governments.

hand for the first time the focus was shifted toward more active policies. In spite of these changes, only in the following decade reforms become more substantial (Graziano, 2003).

3.2.2 The Nineties: deregulation and decentralization

At the beginning of the 1990s Italy faces a severe economic and financial crisis. Actually, on the one hand the GDP, after a ten-year growth, was standstill (even negative in 1993: -0,88%, see Tab. 1); on the other hand Italian public accounts were encumbered with debts, with a boom of the deficit and an uncontrolled public debt, that in 1991 for the first time became higher than the GDP⁹⁰ (Gualimini, 1998: 150).

To overcome the crisis, government and unions agreed structural policies, whose output were two three-sided pacts: Amato pact (July 31st, 1992) and Ciampi pact (July 23rd, 1993).⁹¹ These agreements grounded the financial reform and the economic recovery, with changes also in labour policies.⁹² Law 223/91 includes first reforms, with changes in the social shock absorber system and in the public employment offices. On the one hand, for the first time collective dismissal were allowed, subsidized by a new unemployment allowance,⁹³ that changes also the role of CIG (Reyneri, 1996); on the other hand, the “rank call” was abolished and replaced by employers’ “nominal calls”.

Moreover, also the labour insertion of weaker parts of the labour force was fostered: solidarity and training-work contracts were reformed, charges on part-time contracts were reduced, socially useful jobs for long-term unemployed and labour insertion plans for Southern youth were instituted. As for the socially useful works, they were clearly a workfare measures, in which the subsidy was subordinated to a work having a social aim. As a matter of fact, the measures was turned into a pure unemployment subsidy, without any activation goal (Kazepov/Sabatinelli, 2002; Graziano, 2004b). The labour insertion plans, on the other hand, were mainly aimed at providing training and experience for young Southern unemployed.

In the end, these measures were mainly implemented in a fragmented and jerky way, without any sound strategy (Gualimini, 1998) – a strategy that was agreed only in 1996, with the so-called “Pact for the Work” signed by the government and the workers’ and employers’ unions. This agreement states a set of guidelines for the reform of the labour market, to be implemented mainly through a flexibilization of the entry level and more active labour market policies (Kazepov/Genova, 2005). As a consequence, the government passed two important measures:

- the so-called “Pacchetto Treu” (law 196/97), that reformed some active policy tools (apprenticeship, training-work contracts) and stated new and flexible types of contracts (like

⁹⁰ In 1991, the debt/GDP rate was 100,8%, while the deficit was 11,7% (ISTAT, 2005c).

⁹¹ The two pacts are named after the Prime Ministers at that time: Giuliano Amato (Italian Socialist Party) and Carlo Azeglio Ciampi, Prime Minister of a “technical government” appointed at the height of the economic and political crisis in the early 1990s.

⁹² Finances were reorganized especially due to the suppression of the so-called “sliding scale” (see above) and to the programming of expected inflation. In this case, also CGIL accepted the decision.

⁹³ The unemployment compensation is due to workers dismissed by manufacturing firms with more than 15 employees or service firms with more than 200 employees or to workers in CIG. The amount is 80% of the last wage for 12 months, renewable for 1 year (if the worker is more than 40) or for 2 years (if the workers is more than 50). Law 223/91 states also training and retraining for dismissed workers – even though it is not declared who has to do it (Reyneri, 1996: 371). In some cases the yearly unemployment compensation can be turned into a long-term compensation for workers about to retire (Kazepov/Sabatinelli, 2002).

the interim work, that represents the end of the public monopoly on the relationship between labour supply and demand);

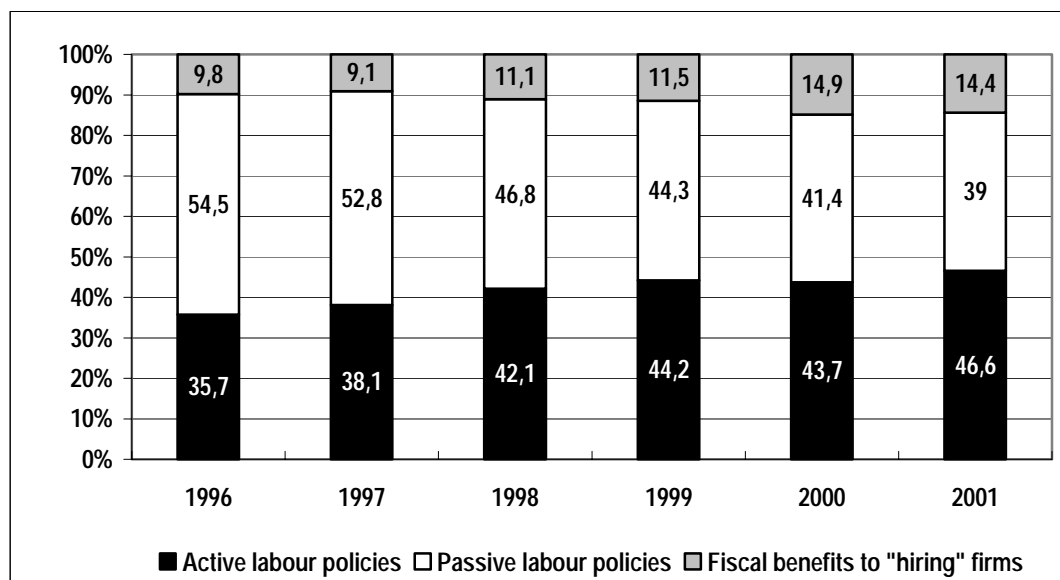
- the decree 467/97, that decentralizes active labour market policies and employment management toward subnational authorities.

To sum up, during the 1990s the policy agenda in the field of labour market gradually changed, giving more attention to active policies (Biagioli et al., 2004: 278), as it is also shown by the social expenditure (see chart below)⁹⁴.

In this reform process an important role was played by the EU-integration⁹⁵ (Kazepov/Genova, 2005) in two ways:

- indirectly due to Maastricht criteria, that caused a strong cut of passive measures (being too costly for the finances (Graziano, 2004a: 133);
- directly, the EU role is grounded in an employment strategy that fostered a change in the policy lines, to be matched with European issues concerning employability, entrepreneurship, etc. even though without strong measures against their infringement.⁹⁶

Chart 3 Passive and active labour policies, as % of total expenditure for labour policies, 1996-2001



our calculations on Ministero del Lavoro e delle Politiche Sociali (2004)

⁹⁴ While reading these data, it is worth taking into account the very low share of labour policies on the GDP: 1,20% in 2002 (0,57% for active labour market policies (see appendix data 1).

⁹⁵ The role played by the EU-integration in the policy process is part of a wider spatial rescaling (in this case an upward one), that also in the field of the labour policies shows a changed state regulation power.

⁹⁶ Nevertheless, the end of public monopoly on employment offices is also due to a sentence against Italy caused by the infringement of EU rules on free competition (so-called verdict Job centre III).

3.2.3 The territorial reorganization of labour policies

As outlined above, the decree 469/97 has a crucial role in defining the territorial dimension of labour policies. This decree, synchronised with the decentralization process started by the so-called Bassanini laws, ascribed active labour market policies and employment management to the Regions, even though within the framework of state regulation. Region's role is to direct, promote and streamline the policies (Ferrera/Sacchi, 2004: 6).

Such a process was put into practice mainly through the reorganization of the public employment agencies and the definition of a set of common standard and services for them, in order to avoid an increase in the divide among different areas of the country (Borghini/Van Berkel, 2005). Anyway, it is worth saying that, differently from other countries, decree 469/97 does not institute a national streamlining agency, so that the state rule is weak (Kazepov/Sabatinelli, 2002). What is more, this decree also recognized and authorized private organizations to act as employment/placement agencies, abolishing a prohibition that dated back to 1949.

After the decree 496/96 was passed, Regions have reorganized their Public Employment Services (PES) according to the state frame guidelines:

- the establishment of a three-sided regional board (therefore, with the participation of unions), where planning and evaluation is agreed;
- the establishment of an inter-institutional coordination committee, where there are representatives of Region, Provinces and Municipalities in order to promote the integration of employment agencies, active labour policies and training policies;
- the establishment of new provincial employment offices, managed by provincial authorities.

The reform of public employment offices didn't concern only their territorial organization, but also a deep change in their philosophy, with the implementation of new services (counselling, guidance...) and individualized plans (that implies a synergy with other public and private stakeholders that locally play a role in the active policies).

3.2.4 Short-term trends: some troublesome aspects of the ongoing transformations

The present legislature (2001-2006) has been characterized by a new reform path according to criteria of flexibility and privatization.⁹⁷

Flexibility was pursued through a number of non-standard contracts ruled in the recent law reforming the labour market (law 30/03) and in its implementation decrees (decree 276/03). Privatization was achieved through the reform of public employment agencies (included in the same decree mentioned above), with an increased role of private intermediary organizations with detriment of already undersized of public agencies (Biagioli et al., 2004; Borghini/Van Berkel, 2005)⁹⁸, due to a neo-liberal governmental ideology, which considers public services unable to match labour supply and demand (Ministero del Lavoro e delle Politiche Sociali, 2001).

⁹⁷ Moreover, measures passed by the actual majority are also characterized by a break with 1990s neo-corporativism (Graziani, 2004b), so that the role of unions is much smaller (Biagioli et al., 2004: 281). Anyway, it is worth saying that in July 2002 the government agreed with the unions (exception made for CGIL) a plan for reforming the labour market (so-called Pact for Italy), but the following measures passed by the majority rarely complied with it (e.g. so-called Biagi law – law 30/03).

⁹⁸ In 2001, civil servants employed in public employment offices were some 15,000. In a comparative perspective (considering the size of the labour force), they should be 23,000 to reach Spanish and Dutch levels and even 57,000 to reach Swedish and German levels (Biagioli et al., 2004: 308).

Changes in labour policies put into practice during the 1990s and (especially) in the early 2000s create serious concerns about the outcomes on the social cohesion and the territorial divide. (Kazepov/Genova, 2005). As far as social cohesion is concerned, the main problem is the timing and synchrony of ongoing reforms. As a matter of fact, the flexibility in the entry in the labour market increased at very fast pace (Biagioli et al., 2004), without any reorganization of the social shock absorbers (Zucchetti, 2002; Borghi/Van Berkel, 2005), still mainly grounded on a contributive-positional system.

The short testing of minimum income measures (see § 3.1.2.) was also aimed at coping with this kind of problem, because the foreseen primary scheme (funded by the tax system) targeted people with an expired unemployment benefit or excluded from the contributive protection because of lacking or few contributions paid. The end of these measures, together with the unrealized reform of social shock absorbers,⁹⁹ engenders a high vulnerability, affecting especially people with more flexible jobs. Such a vulnerability is also increased by the weakening of family ties (Kazepov/Genova, 2005) (see also 1.1), the true social shock absorber of Italian welfare state.

The second troublesome issue is the territorial impact of decentralization and privatization of employment offices. According to the European Employment Strategy, decentralization should be aimed at fostering activation policies, through the implementation of measures consistent with local and individual characteristics. On the one hand, decentralization helps implementing locally consistent policies, but – on the other hand – the risk is the strengthening of existing territorial divides between Central and Northern Italy (where there is a quite strong tradition of activation policies) and Southern Italy (where such a tradition is lacking).

The ongoing privatization of employment services (particularly stressed in the last reform of the labour market) risks to affect social and territorial equality. The growing flexibility of employment would require, on the contrary, a reinforcement of public actions, because otherwise weaker recipients have no answer (Zucchetti, 1999; Borghi/Van Berkel, 2005: 92). Moreover, the ongoing privatization of employment services could engender a stronger divide between Northern and Southern Regions, since private organizations usually settle in better-off (Northern) areas¹⁰⁰ (Kazepov/Genova, 2005).

3.3 Policies for dependent elderly people in Italy

3.3.1 Elderly care in Italy: an introduction

In Italy, the needs of dependent elderly people traditionally found solution mostly within the (extended) family. As documented by several empirical studies (Taccani, 1994; Micheli, 1996; IRER 2000), the unpaid work of spouses, daughters and daughters-in-law has traditionally represented the most important resource in order to respond to the care needs of elderly people. Also legal responsibilities of family members in supporting relatives have remained extensive (Millar/Warman, 1996; Saraceno/Naldini, 2001), in presence of a weak and fragmented system

⁹⁹ The only measure passed by the present majority is the decree 35/05, that states an increase of the ordinary unemployment benefit (50% of the last wage) and extends its duration (7 months for workers aged less than 50, with a 50% benefit for 6 months and a 40% benefit in the last month; 10 months for workers aged more than 50, with a 50% benefit for 6 months, 40% in the following 3 months and 30% in the last month) (Ministero dell'Economia e delle Finanze, 2005: 192). It is worth saying that such an extension and increase is only provisional (just for years 2005 and 2006).

¹⁰⁰ Not by chance, in 2003 (ISFOL, 2003: 72) private organizations in the field of labour policies were mainly settled in Northern Italy: 62.5% of interim agencies, 94.0% of personnel management and selection agencies, 44.4% of private mediation agencies, 80.0% of re-employment agencies.

of social protection against dependence in old age. The family has long been assumed as *the* “caring” agency in Italy, in presence of very weak family policies (Saraceno, 1998a).

Despite diverse territorial trajectories and degrees of development, formal care, provided both in institutions and at home, has remained marginal, compared to northern European countries. Even if in presence of important regional differences, the provision of services has generally maintained a residual character and it is administered at the local level with limited availability of resources. The national average institutionalisation rate of the elderly has never gone above 2% of the population aged 65 or more, against much higher rates in northern European countries (ISTAT, 2002; Bonarini, 2002)¹⁰¹. Despite local and regional variations the availability of home care is extremely narrow. Even when present, home care services guarantee a limited amount of hours of support per week and are unable to represent a valid alternative either to institutionalisation or to informal care (Da Roit/Castegnaro, 2004). Beyond social services and consistently with the traditional tendency of the Italian welfare state to monetise support, the most important measure of social policy for dependent elderly in Italy is a national cash allowance. The *Indennità di accompagnamento*¹⁰² is delivered to all disabled people (in spite of age¹⁰³ and economic conditions) in constant need of help in everyday activities, living either at home or in an institution. In 2004, beneficiaries of the *Indennità di accompagnamento* were 1.270 thousand people of all ages (INPS, Osservatorio sulle Pensioni). Far more than half of them were aged 65 and above¹⁰⁴. Not only this national care allowance is the only national and universal scheme in support of older dependent people, but also it accounts for an important proportion of national (and overall) resources destined to social policy in Italy. In 2002, in fact it accounted for almost half of all national resources destined to social assistance and is higher than regional and local funds for social services in the entire country¹⁰⁵.

Recently, Regions and Local Authorities have introduced supplementary care allowances for heavily dependent elderly people in difficult economic conditions and living at home, whose financing, administration, entitlement rules are completely separated from the above mentioned national allowance. The availability of these new local cash benefits is territorially dispersed and designed according to diverse eligibility criteria. Nevertheless their importance, in terms of financing, number of beneficiaries and impact on the actual target population remains very limited.

The system of social protection has developed along separate lines at the national, regional and local level, whose understanding requires a brief historical background (par. 2) and a clarification of the separation between different types of policies and their relations with territorial scaling (par.3). Whereas very little changes took place in social policy in the past 15 years (par 4), important transformations became manifest in the ways dependence is dealt by families, in con-

¹⁰¹ It has to be underlined here that the supply of institutional care is quite higher in northern Regions (around 3% at the end of the 1990s), similar to the national average in central Regions (1,5%) and extremely low in southern Regions and the islands (1%) (ISTAT, 2003a).

¹⁰² Literally “Companionship indemnity”.

¹⁰³ The allowance was not designed in purpose for dependent elderly people, as it stems from the system of social protection of adults’ disabled. Along with the ageing process and the rise of care needs of the elderly it became the most important measure in this field.

¹⁰⁴ Beneficiaries of the *Indennità di accompagnamento* aged 65 or more were between 800 and 890 thousand in 2004, i.e. 7.2-8% of the elderly population (INPS, online).

¹⁰⁵ In 2002, the overall national budget for social assistance was 15.700 million euros. The *Indennità di accompagnamento* accounted for 48% of it (INPS, 2003: 211). According to estimates based on ISTAT (Bilanci consuntivi delle amministrazioni comunali; Bilanci preventivi regionali; www.istat.it) and FORMEZ (2002a; 2002b) the overall expenditure of Regions and Municipalities on social services reaches 6.000 millions euros.

nection to the rise of a peculiar care market involving individual carers directly hired by families¹⁰⁶ (par 5).

3.3.2 Historical background

The Italian institutional context for care for elderly people is quite fragmented and results from the accumulation of different policies at different levels of government, that took place at different times.

Until the 1970s only two types of support were provided: residential care and cash allowances to “categories” of disabled people. The role of charities, especially in the field of institutional (residential) support, has been very important since the foundation of the Italian State in the second half of the 19th century. Following the nationalisation of these bodies in the 1890s, the core of social policy consisted of the financial and political control over these institutions. Later on, the institutionalisation of the deviants and of the disabled (therefore also the elderly) remained one of the main characteristics of the fascist regime’s policy, through the action of the (formally but not substantially nationalised) religious entities¹⁰⁷. Parallel to residential care, between the two wars several *ad hoc* national policies were adopted in favour of specific social groups (war veterans, war orphans and later on the deaf, the dumb and so on). Throughout the fascist period, the National government founded and financed national institutions in charge of administrating monetary allowances to specific categories of beneficiaries. By contrast, Municipalities maintained a marginal role, as were given limited responsibilities for the support of the unable poor, among which the elderly with no family support. Despite the new orientations imposed by the Republican Constitution after World War II, until the late 1960s Italian social policies continued to follow similar orientation and organisation. To a great extent, the *Indennità di accompagnamento* may be considered a late development of the Italian tradition of categorical national cash allowances. This measure can hardly be framed as an intended long-term care policy, as it was not originally designed to respond to care needs of elderly people but mainly of adult disabled. Also in relation to demographic developments, it increasingly became since the mid eighties the most important measure in support of dependent elderly people.¹⁰⁸

Only as a result of the activation of Regions and the decentralisation of competences regarding social assistance to the Municipalities, in the 1970s, relevant changes took place. In this period

¹⁰⁶ Private services (either not for profit or commercial ones) had remained very little developed until recently, partly grown in relation to the process of externalization of services undertaken by public administrations responsible for the supply of care services.

¹⁰⁷ In fact, former religious institutions were quite powerful and rich in resources and acted as independent entities, even if highly intertwined with the local political powers.

¹⁰⁸ The Italian system of protection of the disabled - that developed long before elderly dependence became a social and political issue – is a mix of occupational and social assistance benefits, dependently from the “category” of reference of the beneficiaries (Saraceno, 1998a). An occupational social insurance scheme, in fact, covers the risk of disability due to work accidents or work-related sickness: the eligibility depends on the number of years of contribution. On the other hand, non-contributory and means tested assistance is provided to people aged less than 65, being assessed “unable to work”. As for people aged over 65, the assessment of the inability to work is not required in order to access benefits, a means tested generalised support scheme is provided to older people on the basis of income. As in Italy there is no general minimum income scheme, these allowances to older people and to the disabled represent the only exceptions). Next to such means tested allowances a further benefit – the *Indennità di accompagnamento* – is provided to all individuals assessed unable to work – The inability to work has to meet given medical criteria and score 100% – and in need of continuous care, independently from their income. The origin of the measure, and the assessing criteria provided, made its implementation among the elderly not only difficult but also quite discretionary.

the idea of territorial social services entered the social and political arena. Nevertheless, the introduction of new forms of intervention at the local level took place to a limited extent, with restricted resources, and based on the superposition with all existing forms of social measures and institutions. Different regional frameworks and the diverse availability of resources at the local level favoured important intra-regional and infra-regional differentiations in the development of local social services – i.e. social domiciliary care, income support, day care, etc. (Fargion, 1997; Labos, 1994; Artoni et al., 1989; Da Roit, 2001).

Finally, whereas in 1978 the national health system was created, a similar general scheme encompassing social protection was not passed, contributing on one side to separate developments in the fields of social care on the one hand and health care on the other hand. Health care policy was provided important resources collected at the national level though general taxation and it was progressively regionalised.¹⁰⁹ By contrast national policy on social services continued to be organised according to categories of beneficiaries (the handicapped, the children, but not the elderly) and its implementation carried out at the local level with a combination of limited national, regional and local resources. Provided the relevance of health care policies for dependent elderly people – particularly concerning the provision of residential and domiciliary integrated (health and social) care – this further separation between social care and health care is an important trait of the Italian system. Next to a powerful and rich health policy conducted directly by the Regions, social care continued to be confined to a local, scattered dimension with great limitations in terms of resources.

3.3.3 Institutional arrangements and policy scaling

In Italy, there are four basic levels of government: the State, Regions, Provinces and Municipalities. Furthermore, within bigger cities a sub-municipal level is usually present, according to the municipal statute. As for social policy matters, the provincial level is largely negligible, while, for smaller Municipalities a higher territorial level of government has recently emerged: the “territorial entities” (*Ambiti territoriali*), associations of Municipalities responsible for the joint programming of activities and services in the domain of social services and social protection. The division of competences between different levels of government is quite complex and has formally undergone relevant changes throughout the 1990s, due to interplay of a constitutional reform concerning decentralisation of government from the State to Regions, the regionalisation of the national health system and the approval of a framework law in the field of social services. Moreover, the separateness and fragmentation of interventions that characterises the Italian system makes the picture more multifaceted.

Public intervention in care for dependent elderly in Italy is organised along *three separate* lines that recall the above sketched historical background, according to which social services at the local level developed next to (and with no link with) categorical national allowances, on the one side, and health care services provided by regional authorities, on the other.

The first one is represented by the national level, responsible for the attribution of cash benefits directly to individuals, based on a national law granting the right to the allowance to all people meeting given criteria. Even if the responsibility for the practical management of the measure has been passed on to the Regions, the *Indennità di accompagnamento* has remained a truly national policy: eligibility criteria, the amount of the benefit, rules concerning its use and financing remain of the exclusive responsibility of the national level of government. The *Indennità di accompagnamento* is managed by special territorial commissions - embedded in the local health authorities - in charge of assessing needs and certifying whether applicants meet the eligibility

¹⁰⁹ Health care budgets currently represent the most important item in Regional budgets.

criteria set by national regulations. Due to broad definitions and the loose assessment criteria provided by the law, territorial assessing committees do have a relevant discretionary power in judging each single case. Despite the lack of quantitative analysis on the phenomenon, it is widely recognised that the implementation and interpretation of the law has in fact varied considerably over time and according to territorial variables. Nevertheless, a direct connection between local (municipal) policy and politics and the implementation of this national scheme is not clearly detectable.¹¹⁰ The local assessment process within this national scheme is generally considered as a given “external” aspect for the local system. Moreover, as the beneficiaries are allowed to use their benefit in a completely discretionary manner and do not need to justify their expenses, nor to negotiate them with local services, the use of these resources is completely out of reach for local institutions.

The second stream is represented by the health system, which throughout the 1980s and 1990s experienced a significant process of regionalisation. Besides the provision of services in the domain of acute care, Regions are responsible for funding and organising (health and integrated) home care services for the elderly and residential services for the dependent elderly. Regions have been playing an important role in regulating, supporting and financing the developments of (especially residential) services for very dependent elderly. Regional policies influenced, through financial means, not only the availability of beds in residential care for the elderly, but also co-payments to be corresponded by users, access criteria and characteristics of the beneficiaries¹¹¹. Distinct regional “models” may be identified in this domain (Da Roit, 2005).

The third line of development is the provision of social services, whose responsibility rests in the hand of Municipalities, nowadays associated in the above-mentioned territorial entities. Formally, while up to a few years ago the responsibility for giving guidelines to the Municipalities in this domain was shared between the national and regional level, Regions currently have an exclusive competence. Nonetheless, given the substantial lack of national guidelines in this domain, also in the past the regional role in coordinating services had been quite relevant.

As a result of this fragmented institutional framework, the provision of services, the amount of available resources, the definition of eligibility criteria to accessing benefits has developed in quite differentiated and scattered ways in the country. Not only the regional level of government has made a difference in defining resources and organisational principles, but a diversification of the supply was detectable within Regions, depending on the dimension of Municipalities and their localisation. Fragmentation is therefore one of the distinctive features of the Italian social service organisation. Local Authorities define in a discretionary manner which services and allowances are to be provided, to whom and according to which criteria, within which organisational framework. Nevertheless, this apparently wide discretionary power is strongly restricted by the reduced availability of resources for this type of services at the local level. The funding of local services in the Italian context is based on transfers from the national and the regional level and - since the beginning of the 1990s - on own resources collected through local taxation. Municipalities devote different amounts of resources depending on their “richness” and their

¹¹⁰ From an institutional point of view, assessing committees are embedded in the health care system, as they are formed within the local health authorities and encompass medical and nursing staff along with the representative of national organisations of disabled people (Scorda, 2002). Such composition reflects a connection that is more professional and of national stakes than locally based. Moreover, a territorial link, if any, is more likely to be constituted with the Region as the institution responsible for health systems rather than with Local Authorities.

¹¹¹ Even if expenditure destined to elderly care in residences and integrated home care represents a small proportion of regional health funds, it is enormously greater than expenditure on social services. For instance in Lombardy at the end of the 1990s regional expenditure for non-acute health care services (most of which directed to older dependent people) was 8 times higher than expenditure for social services (Da Roit, 2001: 138).

orientation (Da Roit, 2001). Nevertheless, compared to the resources mobilised through the national care allowance and through health funds, the resources available to the local level of government for the organisation and provision of social services is negligible. Furthermore, as seen above, local social services and organisations do not have any control of most national resources made available for dependent elderly. They cannot therefore count on a relevant amount of resources in order to plan their interventions and to design their strategies of development.

3.3.4 Debate and policy (non) change in the 1990s

In the second half of the 1990s the issue of elderly care entered the social and political arena. The debate on social policy for dependent elderly echoed some of the themes recurrent in the European panorama. One of the listed objectives was the objective to “maintain older dependent people at home as long as possible”, meaning to reduce recourse to institutionalisation. Despite the emphasis on “deinstitutionalisation” and on the development of territorial services that dominated the debate since the 1970, the already low provision of institutional care placed this policy objective in a completely different perspective compared to northern European countries.

In fact, throughout the nineties, particularly in northern Italy where services are far more developed, the most important developments occurred in the field of residential care. For instance in Lombardy, public expenditure on residential care grew significantly, together with the supply of this kind of services.¹¹² On the other hand, even though home (both social and health) care services did develop, they kept reaching a limited proportion of older people without responding to intensive care needs.¹¹³

At the same time decision makers and public boards aimed at containing the pressure on residential structures. Whereas all official documents claimed the development of domiciliary services as a valid alternative to institutionalisation (similarly to what happened in Northern countries) the organisational and financial costs of such development would have been out of reach for Regions and Local Authorities. The solution found in several regional and local contexts (especially Central and Northern Regions) was to provide monetary support to older people living at home, in order to reduce the demand for both institutional care and for home care services. This solution is only apparently similar to the trend towards the spreading of cash allowance in Europe. First - despite official documents' claims - local care allowances did not represent one possible solution among others for dependent older people to choose, but rather the only possibility, given the low availability of formal services. Second, these measures were *always* means tested, even if according to a variety of eligibility criteria (Gori/Torri, 2001). Although in some - not all - cases care allowances were supposed to be co-administered by public officials and the family members of older dependent people, in fact organisational difficulties transformed such allocations into monetary transfers to older people and their families, with

¹¹² The average offer is currently in Lombardy of 3 beds in a nursing home every 100 people of 65 years of age and above (Regione Lombardia, online; www.regione.lombardia.it). The rate was around 2% at the beginning of the nineties (Regione Lombardia, 1998). Whereas health regional funds cover part of the total fees (around half), there is no generalised public contribution for the remaining part, paid for by users and their relatives. People in difficult economic conditions may apply for a municipal ad personam benefit.

¹¹³ On average in Lombardy 3,5% of people aged 65 or above received health home care provided by local health authorities in behalf of the Region. A similar proportion received social home care provided by Local Authorities (Regione Lombardia, Piano sociosanitario regionale 2002-2004). Among few exceptions is a sub-district of the Province of Lecco (Merate) in Lombardy, where home care services are far more developed (ASL Lecco). In other Northern Italian Regions, the frame of reference is quite similar (Ascoli et al., 2001; Presidenza del Consiglio dei Ministri, 1998; 2000).

hardly any knowledge of how the allowances were being used. Finally, in all cases beneficiaries were free to spend local allowances in a discretionary manner. In other words the local response to pressure coming from rising needs was the proposition of the logic of monetary support typical of the *Indennità di accompagnamento* and more at large of the Italian welfare state, on a smaller scale, at the local level, on a non universal basis and in order to discourage the access to residential care. Depending on the ideological and political orientation of Regions and local administrations, the accent was either on freedom of choice for users or on integration with the service net and support for caregivers.¹¹⁴

At the national level, much of the effort was put, in the second half of the 1990s, into the definition and implementation of new framework legislation on social services and social provision¹¹⁵. The overall attempt was to define a more integrated frame of reference for social policy in Italy. Nevertheless, several limitations affected the impact of this initiative. First, much emphasis was put into the institutional arrangements and decision-making processes, while the definition of content of social policy measures remained on the background rather than into the content of social policy. Very limited changes were made on budget and social policy remained within the framework of social assistance localised procedures on one side and national monetary allowances on the other. On one hand, the national additional resources for the implementation of the reform were very limited¹¹⁶ and, on the other, the pooling of regional and local additional public and private resources remained unattended (FORMEZ, 2002a; 2002b).

The traditional divisions between national allowances, giving rise to individual social rights and local provision of services, for which no individual right is recognised, was maintained. More specifically, in the domain of care for dependent elderly the new law fostered very little innovation. A commission previously in charge of evaluating the macro economic compatibility of social expenses had pointed out, among other lines of reform, at the need for reviewing the system of support in favour of the disabled and to put in place a new scheme of protection in favour of dependent older people. This commission proposed the introduction of a national fund, also encompassing existing resources destined to the *Indennità di accompagnamento*, aimed at financing monetary allowances and services for dependent people (Commissione Onofri, 1997: 19). Nevertheless, such a policy advice was not taken into account by national policy-makers. Above-mentioned new framework legislation of 2000 did not substantially reform the system of social protection for dependent older people and only stated the necessity of amending and integrating different types of cash allowances existing at the national level. Even this less ambitious goal was not maintained in following years. Therefore, the most important traits of Italian policy towards dependent elderly people – i.e. the absence of a general protection, a mix and superposition of different measures with diverse scope, aims and institutional arrangements and an overall low socialisation of the risk of dependence – remained untouched.

¹¹⁴ One of the most prominent cases of ideological emphasis accompanying policy developments in the 1990s was that of Lombardy, a Region ruled by centre-right governments since 1995. Here the accent of policy innovation was strongly put on freedom of choice for users and on the development of care markets, together with support of family responsibility. By contrast, in Emilia-Romagna, a traditionally communist and later centre-left ruled Region, the accent was on flexibility of collective intervention, integration between different sources of support, on the social integration of older people and on support for caregivers.

¹¹⁵ The law was finally passed in 2000 (Law 328/2000 “Legge quadro per la realizzazione del sistema integrato degli interventi e dei servizi sociali”), after some 20 years of discussion. of such new initiative

¹¹⁶ Additional national resources amounted to less than 500 million euros, with a growth of about 45% of the existing national budget for territorial social policy (Piano nazionale degli interventi e dei servizi sociali 2001-2003). The yearly budget for the *Indennità di accompagnamento* alone is 15 times higher than these additional resources (INPS, 2003).

3.3.5 The development of private care directly bought by families and the local regulation of private care markets

Despite the limited transformations occurred in the social policy arena, important changes took place, that severely question the nature of the Italian care system and the role of paid and unpaid care within it. In recent years there was the visible (even if difficult to quantify) growth of commercial care. In the late 1990s, the recourse to a foreign worker, generally a woman, to look after dependent elderly people living at home became a very visible phenomenon producing social and political debate. A “*badante*” - an immigrant woman directly hired by a family in order to take care of an old dependent person and usually living in the same house - not only represented an alternative to direct care given by a family member, but a (cheaper) alternative to institutionalisation. This phenomenon is strictly linked to migration flows of women from Southern America and Eastern Europe. Private carers tend to be individual foreign workers, operating mainly in the grey market and often with no documented position regarding the immigration rules. Many of them provide 24-hour in-house care and operate in the irregular market as undocumented migrants. Others work for each employer a limited number of hours and live on their own.

The weight of paid care provided by migrant women and the peculiar characteristics of such market emerged clearly between 2002 and 2003, during procedures for a general amnesty for undocumented migrants took place in the country. New legislation on migratory flows introducing stricter rules concerning the access and permanence of non communitarian foreigners in Italy provided, at the same time, the framework for an amnesty directed to undocumented migrant workers already present and working in the country, both in industry and domestic work¹¹⁷. Far from being the first scheme of this type, recourse to mass regularisation is a recurrent procedure in the Italian system of migratory flows’ regulation. Italy – relatively recently become a country of immigration – hosts, next to a growing number of documented migrants, a significant number of undocumented, most of which are employed either in industry, agriculture or services within the grey market. In connection with the chronic inability to regulate migratory flows and with labour market demand of labour force, regularisation processes tend to take place repeatedly (Reyneri, 2001; Barbagli et al., 2004). The specificity of the most recent amnesty was the related importance in social and political debate of the regularisation of migrant care workers. Whereas domestic workers have always represented a significant proportion of the overall labour force regularised in previous occasions, the role played by migrant women caring for older people had become socially and politically important in years and months previous to the approval of the law. In following months some 750.000 applications were submitted, half of which concerning domestic workers¹¹⁸. As registered workers in the domestic sector were 224.000 in 2002 (INPS, *Osservatorio lavoratori domestici*), a vast area of grey labour emerged in this occasion.

The social policy debate has subsequently shifted to the need of regulating and qualifying at the local level this newly created care labour market which has grown parallel separately from policy developments.

¹¹⁷ Law 189/2002 – commonly designated as “Law Bossi-Fini”.

¹¹⁸ Estimating the number of paid carers for dependent elderly people is not straightforward. Of course, not all domestic workers applying for a regularisation were working as carers for older dependent people, as part of them were certainly employed in other functions. Moreover, other workers already had a registered job. Finally, an uncertain number of workers did not apply for regularisation.

3.4 Italian immigration policies¹¹⁹

3.4.1 Building up an institutional frame for immigration: the Eighties

During the Seventies and the beginning of the Eighties the stop policy put into practice by the main European Continental countries hosting immigrants (namely Germany and France) was a consequence of the interplay of three main conditions: a) the oil crisis (1973); b) the changed mainstream public opinion of the leading national political actors in receiving countries (Sciortino, 2000); c) and the favourable economic situation in Italy. The joint effect of these conditions helped Italy to turn into an immigration country – at the beginning at least as a ‘second choice’ for people willing to move to Northern Europe.

Looking at the statistical data, we can say that the turn from an emigration country to an immigration country happened already at the beginning of the Seventies (though still with very low numbers), but this unrecognized phenomenon became an issue in the Eighties and one of the main points in the political agenda in the Nineties.¹²⁰

The main topic connected to immigration was first is the lack of a legal frame regulating the phenomenon: the country was used to focus on emigration and not vice versa. The Italian political and legal system developed a legal framework and administrative means only very lately.

3.4.2 First regulations: towards law 943/1986

In 1979 and 1982 two circular letters from the Ministry of Labour are the first rules targeting immigrants: they grant undocumented immigrants a pardon¹²¹ and open informally the *Italian way* to stop policies (Moretti/Vicarelli, 1997: 21) – informally, because ministerial circular letters have a very low juridical value and they come in a moment when no general law on immigration existed.

As a matter of fact, before 1986 the only law dealing with immigration was the Coordinated Text on Public Security Laws (called TULPS), in force from 1931 and passed under the Fascist rule. It stated that the prefects (i.e. the representative of the State in every Province) in border areas should refuse foreigners “plying a trade disguising idleness, vagrancy or beggary” (art. 271) and those who “aren’t able to adduce reasons for their stay or haven’t means”. With the development of the tourist industry in the post-war period, the TULPS was not enforced or – sometimes – just used in a discriminatory way to refuse entry to undesired people. The growing number of labour immigrants was managed this first stage just via circular letters, and only the ratification in 1981 of the 1975 ILO Agreement granted in some ways a legal position to immigrant workers.

The legal status is just one of the problems at this stage: as a matter of fact, Italy totally lacked a hosting system, integration measures and a management frame for foreign workers (from

¹¹⁹ This paper is largely based on the chapter Barberis et al. (forthcoming).

¹²⁰ Before the 1980s, Italy was a sending country: in a century (1876-1976) more than 29 millions of Italians from all over the country moved to Northern and Southern America, Continental Europe and Australia (Pugliese, 2002). This fact has been a very powerful force in setting the self-representation of Italy as a nation. As a consequence, Italy was taken unprepared when in 1981, for the first time, the official Census data showed that in the country lived more than 70,000 African and Asian immigrants – a number highly undervalued, because the undocumented foreigners were at least 20,000 (CENSIS, 1979).

¹²¹ Benefited by some 5,000 people (Caritas, 2000: 160).

charges to health insurance) – all problems at that time usually coped with through a grassroots bribery system. This policy vacuum has been filled by the action of Catholic institutions, which are also one of the most important mediating institutions having a pull effect on first immigrants (coming often from Catholic countries or from countries with important Catholic missions). This ‘first mover’ position is one of the reasons why some Catholic institutions (Caritas, Scalabrinian fathers, Combonian fathers and the union-based association “Beyond the borders” – ANOLF) are among the most important voices in the public debate about immigration (we will elaborate more on stakeholders below).

To sum up, in the Eighties the top priority concerning immigration-related issues was a law providing a sound framework to the question. Under the pressure of similar laws enacted in Spain and Portugal and, primarily, because of the Schengen agreement endorsed by France, Germany, Belgium, Luxemburg and the Netherlands, a debate begins inside and outside the Italian Parliament.

Notably, the *Committee for a fair law* springs up from the coordination of a number of associations with different backgrounds¹²², setting a “Wide Alliance” aimed at representing the interest of the ‘civil society’ and at lobbying on the Parliament in order to influence the contents of the law. The result is the Law 943/1986 “Rules on employment and treatment of non-EU workers and against undocumented migrants”, passed under the Socialist-Catholic coalition government led by the Socialist Bettino Craxi. Formally, it is a very security-oriented law giving little room to civil society’s requests (Balbo/Manconi, 1990; 1992), but it is attached to the first ‘mass’ pardon, that regularized 120,000 undocumented migrants at the beginning of the 1987, extended 3 times in the same year and once again in 1988, with a substantial liberalization of entries for one year and half.

Under the pressure of scandals widely reported by the media¹²³ a climate of emergency is the field for afterthoughts on the 1986 law. Hence, in the following months, it is criticized as ineffective in reducing irregularity, too labour oriented, with no attention to human and citizenship rights (Bolaffi, 1996; 2001).

3.4.3 Immigration as a policy agenda item: an intelligible path in the 1990s

Stop policies, pardons and normalization from Martelli Law to Dini Decree

In this atmosphere of emergency, a new law was passed (decree 416/1989, later passed as law 39/1990), known as Martelli Law¹²⁴ on asylum and immigration. The strengthening of the security and stop policy approach is based on the establishment of the so-called ‘flux decree’¹²⁵: every year the national government fixes the maximum number of immigrants allowed to enter the country. Anyway, this renewed approach is for the first time clearly matched with the recognition of some basic rights, included the access to welfare provisions (one of the most debated question was the opening of free health care and compulsory schooling to illegal migrants

¹²² It is made up by the three biggest trade unions, i.e. CGIL (Socialist-communist), CISL (Catholic) and UIL (liberal), by the Christian Association of Italian Workers (ACLI), by ARCI (a large cultural association close to left parties), Caritas, Comunità di S. Egidio and other minor associations.

¹²³ Namely: the death of the black South African activist Jerry Maslo, killed by the members of a neo-nazi group; episodes of bribery and exploitation of undocumented immigrant workers; street crimes involving foreigners.

¹²⁴ It is named after the Socialist Claudio Martelli, at that time Vice-Prime Minister.

¹²⁵ It will be un-enforced only in 1995, under the Berlusconi government, because of anti-immigrant ideas of some parties in that right-winged coalition.

and their offspring, with the professionals involved allowed not to charge undocumented recipients due to their ‘professional secrecy’), that marks the shift from an approach mainly based on labour regulation to a wider understanding of the phenomenon. What is more, for the first time some funding is provided, mainly given to Regions in order to build hostels and housing facilities for immigrants. Once again, the new law is matched with a pardon profited by some 220,000 undocumented migrants.

From the beginning of the Nineties, the increasing number of immigrants makes the ongoing changes more and more visible. This was due also to some international events: the fall of Communist regimes in Eastern Europe (especially the death of Enver Hoxa and the following facts in Albania and the war in Yugoslavia engender a mass escape with visible effects in Italy).

The mix of pardons and security approach (enhanced by the ratification of the Schengen agreements in Italy in 1993, with the related new law on expulsions, the decree 107/1993) bases an increasing attention of public debate on the supposed relationship between street criminality and undocumented immigration.

The next step was the decree 489/1995, called “Dini decree”,¹²⁶ half way between the requests of the left and the requests of the anti-immigrant party Lega Nord. The security trend is further enhanced by a looser regulation of administrative expulsions that formally become the major way of controlling immigration.

As usual, also this law is matched with a new pardon: this time some 250,000 irregular foreign employees took advantage from them and regularized their position (Vitturi, 1998).

Between security and participation: a precarious balance in the Turco-Napolitano and Bossi-Fini Laws

Law 286/98

The changes described above were not the last important change in the Italian immigration law. In 1998, during the Prodi government, the decree 286 (later approved as law 40/1998) was passed.¹²⁷ Jointly endorsed by the Minister of the Interior and the Minister of Social Solidarity, as a matter of fact this law is double-faced. On the one side, control measures are widely enhanced, also due to “international obligations linked to the Schengen agreement and to pressure from European partners” (Zincone/Di Gregorio, 2002: 9): yearly quotas per nationality are fixed, based on applications to the embassies and bilateral agreements. The entrance can be allowed also under a sponsorship contract, in which the sponsor living on the Italian territory is responsible for the immigrant; temporary detention centres, aimed at identifying and eventually expel undocumented immigrants, are established.

On the other side, for the first time half of the law is devoted to fix and make immigrants’ rights explicit in an organic way, also setting a system of integration policies and a dedicated fund (the National Fund for Immigration Policies and Immigrants’ Integration, art. 45 decree 286/98), according to a methodology experimented the year before in the law 285/97 (“Provisions for the promotion of rights and opportunities for childhood and adolescence”) and afterwards generalized through the law 328/2000 (“Frame law for the accomplishment of the integrated system of social services and actions”) (Fargion, 2001; Kazepov/Barberis, 2005), whose main issues are:

- the individualization of welfare responses;

¹²⁶ It is named after the liberal Lamberto Dini, at that time Prime Minister in a bridge government supported by a centre-left coalition.

¹²⁷ It is named Turco-Napolitano Law after the names of Livia Turco (minister for social solidarity) and Giorgio Napolitano (Minister of Interior), both member of the post-communist party DS (Left Democrats’ Party).

- the focus on promotion more than on protection;
- the integration of fragmented welfare resources;
- the network mobilization of stakeholders;
- the focus on the local dimension (Zucchetti, 1999).

From this point of view, the decree 286/98 has been one of the strongest incentives in the organization of sounder immigrant policies, not only because they were funded, but also because it pushed Regions to outline plans and guidelines. As usual, also this law has been accompanied by a new pardon campaign, benefited by some 220,000 undocumented migrants.

Law 189/02

The change of government in the 2001 elections, won by a centre-right coalition, is also a turn in the political attitude towards immigration. Anyway, the above-mentioned two-sided dimension of Italian immigration law is kept also in the last changes carried out under the Berlusconi government in 2002 by the so-called Bossi-Fini Law (Law 189/02).¹²⁸ Presented as a new immigration law, actually it is an emendation sharpening immigration rules already stated in the 1998 law: the sponsorship has been abolished, the duration of the permits of stay has been shortened, the maximum detention allowed in the temporary detention centres lengthened, and temporary seasonal migration has been fostered.

In this field, the main change is the establishment of the so-called “stay agreement”, that merges permit of stay and labour agreement, in this way making the regularity of immigrants widely dependent on their employers and their occupation. On the other side, rules concerning immigrant policies and integration stayed untouched, even though the above mentioned changes made it partly senseless: as a matter of fact, the focus on immigration as precarious labour force leaves little room for long-term inclusion policies.

In this field, changes didn't happen mainly at national law level, but with a range of administrative rules, matched with the process of regionalization. For example, the Fund for Immigration Policies was cancelled and merged with the wider Fund for Social Policies, where there is no bounded item. As a matter of fact, when the Fund is allocated to the Regions – in charge for the social planning after the 2000 Constitutional reform – theoretically they can decide not to allocate any fund for immigrant policies.

As a consequence, at the moment integration policies at the local level are funded via the State Fund for Social Policies (FNPS), integrated with Regional and local own resources according to programmes included in local plans for social policies. It is worth saying that also in this case – with a reform sharpening control measures – another mass pardon was passed. Or, better, two pardons, one concerning undocumented migrants employed in firms, and the other concerning undocumented migrants employed as house-workers and carers (Law 222/02 and Law 189/02). The result was one of the biggest “pardons” ever done in Europe that pardoned 650,000 undocumented migrants (316,000 carers and 330,000 employees).

This once again double-faced strategy was mainly due to balances inside the government majority, where the Catholic party UDC bore a set of demands coming from Catholic associations and hierarchies.

¹²⁸ It is named after Umberto Bossi, leader of the regionalist xenophobic party Lega Nord and at that time minister of Institutional Reforms, and Gianfranco Fini, leader of the post-fascist party AN (National Alliance), vice-Prime Minister.

Finding an order in the chaos: the main features of Italian immigration policy

To sum up, we can outline the specificities of the Italian mode of incorporation (Portes/Rumbaut, 1996), that we can define as indirect, implicit, aphasic and unintentional (Hammar, 1985; Zincone, 1995). It is based on:

- Unsystematic and delegating national policies, with unclear basic principles (Ambrosini, 1999a), with a parallel importance of regional and local policies, though differently affected by financial and managerial limits (Zucchetti, 1999);
- Formal harshness and substantial laxity toward informal arrangements concerning immigrants (Sciortino, 2000);
- The basic role of non-state actors both as lobbyists and deliverers of service. Actually, micro-level social regulation, in which public institution is only one of the actors (and often one of the less consistent and important, Reyneri, 1996), is a basic feature of Italian management of immigration policies (and probably of many others policies at large, since Reyneri definition was related to labour market regulation): therefore, the driving forces having effects on the settlement patterns are local labour and housing markets and the informal networks (both autochthonous and allochthonous).¹²⁹

Such regulation patterns are interwoven with the specificity of Italian urban and institutional patterns: 20 Regions, more than 100 Provinces and more than 8,000 Municipalities (72% with less than 5,000 inhabitants) give a proof of the local fragmentation of identities and public organizations.

What is more, if in the 1980s and in the early 1990s immigration issues were mainly a problem of Southern Regions (for they are the main Mediterranean entrance door to Europe – the so-called ‘soft belly’ of the Continent) and large metropolitan areas (primarily Rome and Milan), in the last ten years a new phenomenon is taking place: the rising international migration flows are matched with an intensive re-immigration process inside Italy, so that foreign migrants move from South to North and from metropolises to towns (Casacchia et al., 1999).

Then, the activation of kin networks is now driving also international migration flows directly toward small towns: thus, the stabilization of migration flows has gone along with a wide territorial distribution of immigrants (Barbieri, 2004; Bragato/Canu, 2003; Rotondi, 1996). Scilicet, migrations shifted more and more from urban to territorial issue.

3.4.4 The institutional *imbroglio*. The questioned role of State and Regions and the case of immigration policies

Italy’s spatial fragmentation and differentiation and its historical roots – together with the long-lasting predominance of supranational ideologies (Melotti, 2004) – are among the causes of a weak national identity.

Since there aren’t different ideal-typical integration models but only one – the nation states’ building process (Schnapper, 1994) – Italy still lacks a clear regulation frame for immigrant incorporation, with clearly stated goals. Hence – if we want to trace back some specificities of the Italian case – it is strongly characterised by the territorial fragmentation and the local dimension of policy practices, without a driving national ideology.

¹²⁹ We will focus on these four issues under the four subheadings below.

So, if the immigration policy is up to the national government (namely the Ministry of Interior), also the programming of immigrant policies – as part of social policies – shifted to Regions and Local Authorities after the 2000 Constitutional reform.

As a consequence, the real priorities and the setting of the policy agenda in this field can widely differ among the Italian Regions: even though 1998 immigration law stated a quite balanced relationship among territorial scales – with a certain State leadership in the setting of general priorities – as for law 328/00, also in this case the Constitutional reform unsettled the stability of the system. This means that immigrants' rights often rely much more on the place of residence than on national rules, according to local commitment and local welfare cultures.¹³⁰ The most striking example of this *institutional imbroglio* is the recent debate on voting rights to immigrants that took place in 2004 and 2005. It engendered a number of clashes among institutional scales and a number of appeals to the Constitutional Court and the administrative courts. Actually, some Local Authorities decided on their own to bestow foreign residents on voting rights at local elections.¹³¹

The conflict between Local Authorities and Regions vs. the national Government still lasts, also due to a kind of Italian “*cohabitation institutionelle*”, where the Regions are mostly ruled by leftist coalitions, while the Government is right-winged, so that Regions act as a real lobbying group, especially by means of a specific body, the State-Regions Board. This fact increased the difficulties in the implementation of 2000 constitutional reforms, with effects also on immigration policies.¹³²

Actually, as we mentioned in previous chapters, Regions are the major deciders not so much for delivering public policies, but mostly for their planning and management. Hence, as far as immigration policies are concerned, rules about entry and stay are up to the State and EU scale, while Regions have a key role in ruling integration policies (both social and labour policies). The situation, however, is not so clear-cut. For example, in 2004 Region Emilia-Romagna (traditionally leftist) passed its third regional immigration law (Regional Law 5/2004 “Norms for the social integration of foreign immigrant citizens”), that was immediately impugned by the Government as unconstitutional, because it overstepped regional jurisdiction, ruling participation rights.

It was quite clear that the impugnation was mainly due to the content of the law, disagreed by the right-winged government. By the way, the autonomy of the Regions in this field is now such that Constitutional Court found the appeal “inadmissible” and “groundless” (Corte Costituzio-

¹³⁰ What is more, it can happen that also conducts to be theoretically implemented according to strict national criteria are managed at the local level in different ways, to the detriment of equal rights for immigrants on the whole territory. A good example is a research by Vitale, Polizzi/Nardo (2004) about the release of the “*carta di soggiorno*” (stay paper: differently from the permit of stay, it is a long-lasting stay document – the maximum of certainty and stability, from a legal point of view, besides the full citizenship) in Region Lombardia, showing a variety of inconsistent criteria.

¹³¹ In the end, Courts stated that rules on local elections can be fixed only by national law, but Local Authorities can autonomously rule immigrants' participation to:

- local referendums
- election of neighbourhood councils in chief towns
- election of local boards (e.g. advisory councils on immigration policies) different from Municipal Councils.

These exceptions were justified as forms of participation to local life that don't touch full citizenship rights.

¹³² Just to give some data, from the endorsement of the Constitutional law 3/2000 to the year 2004, the Constitutional Court examined more than 160 cases. As it is possible to notice in the table in Appendix, some 90% of petitions from Regions originated from left-winged Regions.

nale, 2005) – a fact that makes it even clearer that a state-led model of incorporation in Italy is not possible from a legal point of view anymore.

The weakness of a national frame makes the success (and even the existence) of immigrants' inclusion process definitively dependent on resources, skills, and strengths at the local level, with little or no possibility to re-balance potential shortcomings – a situation that turns into a highly informal strategy as often happens in the Italian institutional system, traditionally based on ad-hocratic interventions achieved via a “micro-negotiation” at local level (Reyneri, 1996).

It is worth saying that Regions and other Local Authorities achieved a great role on immigration-related issues not only because of 2000 Constitutional reform, but also because of the late evolution of a national frame: from the Eighties onward, in a national vacuum of guidelines and leadership, local regulation became soon the most relevant one, building different paths in different Regions.

3.4.5 Control policies and their paradoxical outcomes

Stop policies and their over-bureaucratization made it very difficult to keep a regular position. It has been estimated that every year some 85,000 permits of stay aren't renewed and their holders disappear without leaving any traces. So, it is clear that the main source of undocumented stay in Italy is not illegal entry, but overstaying. This implies that it is difficult to meet requirements to renew the permit of stay, so – when it is expired – many immigrants live in the country without documents.¹³³ In this context, the yearly national quota system seems to be a regulation system spread from a lack of planning and overcome by emergency situations and mediatized priorities.

The shift from a vacuum in migration policies during the 1980s to a control policy in the 1990s is the cause of a number of irregular positions. Policy and media agendas are much more focused on frontiers than on the conditions of resident immigrants. What is more, the control policy has been put into practice both from the left and the right coalitions, being the difference between them more on the degree of control than on alternative policy agendas. Moreover, the attention has been paid more on the quantity rather than on the quality of immigration. The regulation of numbers is often considered by Italian politicians as a modern management system, which can be questionable. Besides, it is also implemented so inconsequently that some scholars consider it a “ritual practice” (Sciortino, 1996) with no grasp on the real needs of the country – as the recurrent pardons show.

As a consequence, as a side (expected?) effect, the quota system helps the making of a deregulated and unprotected labour force, much valued by some segments of the production system (Ambrosini, 1999b).

It is probably enough to consider that quotas allowed in the whole year 2000 (63,000) have been ‘run out’ in six months, the 2001 quotas met only half of the applications (83,000 vs. some 150,000), and so on.

¹³³ “Indeed, among the 700,000 undocumented immigrants that applied for the 2002 pardon, 75% were foreigners that entered the Schengen area regularly and then stayed irregularly; 15% were foreigners that entered Italy in a fraudulent way; 10% were the ones disembarked on the Southern shores. The same analysis on the undocumented migrants found in Italy in 2004 shows an estimated rate of 67% overstayers, 29% crossing frontiers in a fraudulent way and 4% disembarked on the Southern shores” (Ministero dell’Interno, 2005: 41; our translation from the original Italian version).

As a matter of fact, the outcome is that a number of immigrants arrived in Italy for other reasons (family reunification, tourism...) build up an unplanned additional labour supply (Zanfrini, 2003).

3.4.6 The main actors on the stage: the unusual advocacy coalition

One of the outcome of this inconsequent immigration policy is that the political agenda on this issue doesn't fit economic needs – a fact that often has engendered an unusual alliance between trade unions and entrepreneurial associations. Confindustria (the Italian Manufacturers' Association), the most important entrepreneurial association, officially agrees with easier and wider entry rules and sometimes – both at national and local level – is engaged in promoting better (minimum) integration conditions for foreign immigrants (especially as far as housing is concerned) – obviously from a merely utilitaristic point of view.

In this respect, one of the most striking examples is the case of Treviso – a Venetian Municipality ruled by Lega Nord – where a strange coalition made up by the archbishop, trade unions and local entrepreneurs' association helped to re-house some 50 documented immigrants turned out by Local Authorities. Such a coalition worked again some months later, when they allowed Muslim immigrants to celebrate *'Id-al-Kabir* in the local sport arena (owned by the Benetton), after (and although) the mayor forbade the event (Allievi, 2003). It is worth saying, anyway, that employers' association are interested in lobbying mainly on the numbers of quotas allowed, while they usually keep a lower profile on integration policies.

As we mentioned above, also trade unions – the other side of this unusual alliance – are a very important actor in immigrant incorporation. Both CGIL (Italian Federation of Labour) and CISL (Italian Federation of Trade Unions) – the two most important trade unions in Italy – are class unions, with traditional pro-immigrant tendencies. Since the 1970s, they coped with this issue in the frame of their pro-Third-World, internationalist and solidaristic political culture, both from a socialist-communist (CGIL) and a Catholic (CISL) point of view. However, these traits brought about unions to focus their attention on general social problems concerning immigration (relief, welfare, integration, pardons, immigration law, even second generations' schooling) more than on an effective defence of immigrant workers on the workplace. Anyway, up to now their strategy has been functional, since some 350,000 immigrant workers joined a union (i.e. half of the regular immigrant workers, with a unionization rate higher than that of Italians) (Boeri, 2005).

As we noted above, the network of Catholic associations is the last – but not least – important stakeholder in influencing Italian policy process on immigration, involved both in lobbying and in delivering services, thanks to agreements with Local Authorities.¹³⁴ Often they take advantage from a first-mover position, being – together with trade unions – the first institutions that implemented services for migrants, thanks to the network of services for the poor they have (doss houses, refectories...).

¹³⁴ This is true also for trade unions. To give an example, in many areas of the country services aimed at supporting the renewal of the permit of stay and at giving basic information to immigrants is built up by a large network of windows in the local offices of trade unions, associations, social cooperatives, employers' unions.

3.4.7 Conclusions - Summary

Though characterized by many contradictions, it is worth saying that up to now this handling strategy has been in some way effective, reducing could-be conflicts and their intensity: large scale conflicts haven't (yet) happened in Italy, for two different reasons.

On the one hand, intergenerational problems of people with an immigration background is not yet a big issue, due to the small numbers of immigrants' offspring (though steeply increasing). On the other hand, local strategies of incorporation are often based on a wide-range negotiation, involving also cultural issues supposed to be pivotal. For example, it is not infrequent that zealous teachers skip Catholic symbols and rites (for example in the Christmas recitals) not to hurt Muslim immigrants' religious feelings (or, better: what teachers perceive as Muslim religious feelings). Nevertheless, this strategy is risky: if it helps in keeping low profile the conflict at local level, it cannot be used to deal with more radical and weighty points, both coming from the most xenophobic demands in the national arena and from the most unyielding immigrant groups, because citizenship rights are ill-defined for the Italians themselves, too.

To sum up, we can say, paradoxically, that this strategy helps in keeping conflict low till the conflict is low: if conflict bursts with claims pertaining national rules and rights, the system of local bestowals is likely not to be enough. Lacking a broad institutional frame, wide-range conflicts are going to be managed impromptu – supposedly resorting to legal proceedings more than to the political arena – at risk of radicalization.¹³⁵

If up to now it is not possible to outline a real Italian model, the above-mentioned features allow us to identify a 'mode' of incorporation, that has been building through grassroots practice – a mode that, for these reasons, has been defined 'tacit'. Anyway, due to the increasing numbers of the phenomenon and the extension of the scientific debate on this matter, some scholars are beginning to speak of an Italian model, though with contradictory outcomes. Melotti (2004: 182-3) maintains that the Italian model – originated from its peculiar political culture and incomplete nation-building – shall be a model for the whole of Europe, since it is a proper half-way between French universalism and British particularism. On the contrary, Perocco points out the most negative sides of the Italian model under construction, which he defines a "special legal regime". It is characterized by: assimilationist ideology without assimilation tools and chances; ethnicization without recognition; precarious and discriminatory labour insertion (Perocco, 2003: 212-4).

Probably, the lack of an own national strategy makes Italian policy makers waver between the major ideal-typical model in the international arena, but they are implemented in a creative way due to specific path-dependent strategies. For example, first participation policies raised in areas with rooted civic traditions: Nonantola, a small Municipality near Modena, was the first town where immigrants could vote for a so-called "added town councillor" (i.e. an immigrant that can take part into the town council, though without the right of voting decisions) (Aurighi, 1997). In this sense, this could be considered as an assimilationist policy, because it is aimed at mainstreaming immigrants in a traditional participation tool of this area (stakeholding framed into a shared set of participation criteria and ideologies), but anyway it is an element of innovation into the policy arena.

One of the most relevant indicators of the Italian mode of incorporation is probably given by the so-called "intercultural mediators" – usually people with an immigrant background helping public offices to deal with foreign claimants and recipients (both from a linguistic and a cultural point of view, in schools, hospitals, employment agencies, municipal immigration windows,

¹³⁵ What is more – obviously – "the lack of a systematic and consistent national policy undermines local actions (Ambrosini, 1999: 224). Frequently, the consequence is the implementation of 'invisible' (and often ineffective) policies (provoking low hostility) and the resort to voluntarism.

etc.). Just to give an idea, Region Emilia-Romagna has published more than 400 positions for intercultural mediators in 2004 (more than 1 per 1,000 immigrants).

On the one side, they help in building some sort of ethnicization (according to criteria based on statistical data), on the other side they are mainly aimed at mainstreaming immigrants into existing institutions, because:

- immigrant representatives are too weak, in the large part of Italian towns, to really lobby for a multicultural policy;
- public institutions provided a cultural opening (exactly via the intercultural mediators), but not a structural change.

Hence, the mix of multiculturalism and assimilationism is probably one of the main features of Italian model. If this produces valuable outcomes is a question for the future.

4 Appendix: Data

4.1 Main structural indicators

		1980	1985	1990	1995	2000	2003	2005
A	Population							
<i>A1</i>	<i>Old age index¹</i>	20,2	n.a.	22,4	n.a.	27,4		29,4
<i>Plus</i>	<i>Share of +65¹</i>	13,2	n.a.	15,4	n.a.	18,4		19,5
<i>A2</i>	<i>Share of +75 (f/m)</i>							
<i>A3</i>	<i>Female life expectancy¹</i>	77,6	n.a.	80,2	81,0	82,5		83,7
<i>A3</i>	<i>Male life expectancy¹</i>	70,9	n.a.	73,6	74,6	76,5		77,8
<i>A4</i>	<i>Dependency rate¹</i>	52,8	n.a.	45,8	n.a.	48,6		50,7
<i>A5</i>	<i>Child in single parent family²</i>	n.a.	n.a.	3,3	n.a.	4,1		n.a.
<i>A6</i>	<i>Fertility rate³</i>	1,64	1,42	1,33	1,19	1,26		1,33
<i>A7</i>	<i>Births out of wedlock³</i>	4,3	5,4	6,4	8,1	10,2		14,9
<i>A8</i>	<i>Divorce⁴</i>	0,2	n.a.	0,5	0,5	0,7		0,7
<i>A9</i>	<i>Non-EU immigrant⁵</i>	n.a.	n.a.	0,9	1,5	2,1		2,4
<i>A10</i>	<i>Share of 1 person households⁶</i>	n.a.	n.a.	n.a.	21,1	23,0		23,9
<i>A11</i>	<i>Share of 5 < persons households⁶</i>	n.a.	n.a.	n.a.	8,7	7,5		7,1
<i>Plus</i>	<i>Average number of persons for households⁷</i>	3,0	n.a.	2,8	2,7	2,6		n.a.
B	Labour Market Indicators							
<i>Plus</i>	<i>Activity rates</i>							
<i>Plus</i>	<i>Total⁸</i>	n.a.	n.a.	58,8	58,4	61,0	62,9	62,5
<i>Plus</i>	<i>Female (15-64)⁹</i>	n.a.	43,2	43,9	44,3	48,5	50,9	50,6
<i>Plus</i>	<i>Male (15-64)</i>	n.a.	n.a.	73,8	72,5	73,6	74,4	74,5
<i>Plus</i>	<i>Youth (15-24)</i>	n.a.	n.a.	41,8	40,1	40,3	37,8	n.a.
B	Employment rate⁸							
<i>B1</i>	<i>Total</i>	n.a.	n.a.	53,1	51,8	54,8	57,5	57,4
<i>B2</i>	<i>Female (15-64)</i>	n.a.	n.a.	37,8	37,5	41,8	45,1	45,2
<i>B3</i>	<i>Male (15-64)</i>	n.a.	n.a.	68,4	66,2	67,8	70,0	69,7
<i>B4</i>	<i>Youth (15-24)</i>	n.a.	n.a.	30,3	27,9	29,4	28,9	n.a.
<i>B5</i>	<i>% of small sized firms (< 15 employ.)</i>	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
<i>B6</i>	<i>% employed in industrial sector</i>	41,6	n.a.	33,1	32,7	31,0	30,7	30,7
<i>B7</i>	<i>Employment impact on parenthood</i>	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.

		1980	1985	1990	1995	2000	2003	2005
<i>Plus</i>	Atypical employment							
	<i>Fixed term contracts (as % of employees)⁸</i>	n.a.	n.a.	9,9	10,9	12,7	12,3	11,8
<i>Plus</i>	<i>Part-time employed (as % total employed)¹⁰</i>	n.a.	8,3	8,9	10,0	12,2	12,0	14,9
<i>Plus</i>	<i>Female part-time (as % of total female employed)¹⁰</i>	n.a.	17,3	18,4	20,6	23,4	23,6	28,8
<i>Plus</i>	<i>Self employed (as % of total employed)⁸</i>	n.a.	n.a.	28,9	29,3	28,6	27,9	28,1
C	Unemployment							
<i>C1</i>	<i>Total⁹</i>	n.a.	11,8	9,7	11,2	10,1	8,4	8,0
<i>C2</i>	<i>Female (15-64)⁹</i>	n.a.	18,6	13,8	15,4	13,6	11,3	10,5
<i>Plus</i>	<i>Male (15-64)⁹</i>	n.a.	8,0	7,3	8,6	7,8	6,5	6,4
<i>C3</i>	<i>Male (55-64)¹¹</i>	1,9	n.a.	2,2	n.a.	4,4	3,6	n.a.
<i>C4</i>	<i>Youth (15-24)⁸</i>	n.a.	n.a.	27,6	30,3	27,0	23,7	23,5
<i>C5</i>	<i>Long term (15-64)¹⁰</i>	n.a.	68,7	61,8	61,5	61,3	58,2	49,7

D	Expenditure on social protection	1980	1985	1990	1995	2000	2003	2005
D1	<i>Per capita in PPS¹²</i>	n.a.	n.a.	4468	4568	5891,4		6266
D2	<i>As % of GDP¹³</i>	n.a.	n.a.	26,2	24,8	25,2		26,1
D3	<i>On Family/children¹³</i>	n.a.	n.a.	3,3	3,2	3,8		3,9
D4	<i>On old age and survivors¹³</i>	n.a.	n.a.	60,4	63,4	63,2		61,9
D5	<i>On labour policies¹⁴</i>	n.a.	n.a.	n.a.	n.a.	1,22		1,20
D6	<i>On active labour policies¹⁴</i>	n.a.	n.a.	n.a.	n.a.	0,60		0,57
D7	<i>Unemployed covered¹⁵</i>	n.a.	n.a.	n.a.	4,4	4,4		n.a.
D8	<i>GMI for one parent+1 child PPP¹⁶</i>	n.a.	n.a.	n.a.	n.a.	219,57		n.a.
D9	<i>Replacement rates of unempl. benefits APW</i>	n.a.	n.a.	n.a.	n.a.	n.a.		n.a.
D10	<i>% on social assistance¹⁷</i>	n.a.	n.a.	7,7	7,4	7,3		7,3
D11	<i>% on contributory based policies¹⁷</i>	n.a.	n.a.	65,8	70,5	69,5		67,0
E Poverty								
E1	<i>60% median pre-transfers¹⁸</i>	n.a.	n.a.	n.a.	23	22		n.a.
E2	<i>60% median post-transfers¹⁸</i>	n.a.	n.a.	n.a.	20	19		n.a.
E2	<i>Gini index¹⁸</i>	n.a.	n.a.	n.a.	33	29		n.a.
F Competitiveness								
F1	<i>Growth-ranking¹⁹</i>	n.a.	n.a.	n.a.	n.a.	41		47
F2	<i>Business-ranking¹⁹</i>	n.a.	n.a.	n.a.	n.a.	24		34
F3	<i>GDP development²⁰</i>	3,48	2,97	1,97	2,92	3,2		0,2
F4	<i>Public deficit (to be defined)²¹</i>	n.a.	n.a.	11,8	7,6	0,8		3,2

Notes and sources:

¹ 1980=1981; 1990=1991. Last year: 2004 (estimated values). ISTAT, various years (in Ministero dell'Economia e delle Finanze, 1998; 2002; 2004; 2005).

² Eurostat, 2003.

- ³ Last year: 2004 (estimated values). ISTAT, various years (in Ministero dell'Economia e delle Finanze, 1998; 2002; 2004; 2005)
- ⁴ Last year: 2003 (provisional figure). ISTAT various years (in Ministero dell'Economia e delle Finanze, 1998; 2002; 2004; 2005)
- ⁵ 1990=1991, 1995=1997. Last year: 2002. our calculations on ISTAT (in Ministero dell'Economia e delle Finanze, 1998; 2002; 2004; 2005). Le indicazioni quantitative si riferiscono alla popolazione extra-comunitaria, con regolare permesso di soggiorno secondo i dati del Ministero dell'Interno. L'aumento dell'incidenza fra il 2000 e il 2003 è da imputarsi - in particolar modo - alle regolarizzazioni previste dalla legge Bossi Fini 189/02.
- ⁶ 1995=average 1993-94; 2000= average 1999-00. Last year: average 2000-01. ISTAT, various years.
- ⁷ 1995=1997; 2000=2001. ISTAT, various years (in Ministero dell'Economia e delle Finanze, 1998; 2002; 2004; 2005)
- ⁸ Last year: 2004. ISTAT (2004; 2005a).
- ⁹ 1985=1988. OECD (2000).
- ¹⁰ 1985=1988. Last year: 2004. OECD (2000; 2004; 2005).
- ¹¹ OECD (2000; 2004). For 1980, OECD in Caroleo/Mazzotta (1999).
- ¹² First year: 1992. Last year: 2002. Eurostat (2005a; 2005b).
- ¹³ First year: 1992. Last year: 2002 (estimated data). Eurostat (2005a; 2005b).
- ¹⁴ 2000=2000; Last year: 2002. OECD (2004).
- ¹⁵ 1995=1994; 2000=1998. Kazepov (2005).
- ¹⁶ 2000=2001. Kazepov (2005).
- ¹⁷ Last year: 2004. Ministero del Lavoro e delle Politiche sociali (2005a).
- ¹⁸ Last year: 2001. Eurostat (2004).
- ¹⁹ 2000=2003; Last year: 2005. World Economic Forum (2003; 2005).
- ²⁰ Last year: 2005. For 2000 and 2005, European Social Policy Centre. For others years: various statistical official sources, on-line: http://investintaiwan.nat.gov.tw/en/env/stats/gdp_growth.html
- ²¹ As % of GDP. Last year: 2004. ISTAT (2005c).

4.2 Main financial indicators

<i>Financial indicators</i>		1980	1985	1990	1995	2000	2004
1-A	Public expenditure ¹						
A1	<i>As % of GDP</i>	n.a.	n.a.	37,8	36,9	31,2	31,6
A2	<i>Central public expenditure</i>	n.a.	n.a.	57,3	57,7	51,0	50,4
A3	<i>Regional public expenditure</i>	n.a.	n.a.	22,9	24,2	27,8	27,8
A4	<i>Local public expenditure</i>	n.a.	n.a.	19,7	18,1	21,2	21,8
2-A	Municipal revenue ²						
B1	<i>Own taxes</i>	11,2	n.a.	19,1	37,8	40,8	50,2
B2	<i>Others revenue</i>	9,6	n.a.	15,5	18,5	21,7	20,8
B3	<i>of which user fees</i>	4,9	n.a.	9,8	11,1	14,1	11,8
B3	<i>Transfers</i>	79,1	n.a.	65,2	43,7	37,5	29,0
B4	<i>of which central</i>	n.a.	n.a.	n.a.	36,2	27,6	17,8
B5	<i>of which regional</i>	n.a.	n.a.	n.a.	7,1	6,8	10,3
2-B	Provincial revenue ³						
C1	<i>Own taxes</i>	n.a.	n.a.	n.a.	13,6	56,0	48,8
C2	<i>Others revenue</i>	n.a.	n.a.	n.a.	7,7	5,4	5,5
C3	<i>of which user fees</i>	n.a.	n.a.	n.a.	0,4	0,6	0,7
C4	<i>Transfers</i>	n.a.	n.a.	n.a.	78,7	38,6	45,7
C5	<i>of which central</i>	n.a.	n.a.	n.a.	61,2	12,8	13,1
C6	<i>of which regional</i>	n.a.	n.a.	n.a.	14,0	24,6	30,0
3-A	Regional revenue (SSR) ⁴						
D1	<i>Own taxes</i>	34,4	41,8	52,2	63,3	69,8	72,3
D2	<i>of which shared taxes</i>	n.a.	n.a.	n.a.	62,7	56,5	58,1
D3	<i>Others revenue</i>	3,3	3,5	6,7	3,4	3,5	3,7
D4	<i>Transfers</i>	62,3	54,7	41,0	33,3	26,8	24,0
D6	<i>of which specific transfers</i>	n.a.	n.a.	n.a.	n.a.	26,8	21,9
3-B	Regional revenue (OSR) ⁵						
E1	<i>Own taxes</i>	1,2	1,1	1,9	15,4	45,6	45,6
E2	<i>of which shared taxes</i>	n.a.	n.a.	n.a.	8,9	3,8	2,8
E3	<i>Others revenue</i>	1,2	0,7	0,7	1,4	1,0	1,5
E4	<i>Transfers</i>	97,6	98,2	97,4	83,2	53,4	52,8
E5	<i>of which specific transfers (as % of transfers)</i>	81,6	n.a.	88,5	n.a.	39,7	30,0
E6	<i>of which equalization transfers (as % of transfers)</i>	-	-	-	-	60,3	70,0

Notes and sources:

¹ Public expenditure on net of intergovernmental transfers and debt service. Last year: 2002 (Raimondo, 2000; Buglione/Marè, 2003; Buglione, 2005).

² Articulations (%) of municipal revenue by financial arrangements. First year: 1979; Last year: 2003 (Ministero delle Finanze, 1998; Piperno, 2000; Brusio, 2003; Ministero dell'Economia e delle Finanze, 2001; Ministero dell'Economia e delle Finanze, 2004).

- ⁴ Articulation (%) of provincial revenue by financial arrangements. Last year 2003 (Ministero dell'Economia e delle Finanze, 1998; Ministero dell'Economia e delle Finanze, 2001; Ministero dell'Economia e delle Finanze, 2004).
- ³ Articulation (%) of regional revenue (SSR) by financial arrangements. Years of reference: 1981-1985-1990-1996-2001-2004 (Piperno, 2000; Raimondo, 2000; Brosio, 2003; Buglione/Marè, 2003; Buglione, 2004; Buglione, 2005).
- ³ Articulation (%) of regional revenue (OSR) by financial arrangements. Years of reference: 1981-1985-1990-1996-2001-2004 (Piperno, 2000; Raimondo, 2000; Brusio, 2003; Buglione/Marè 2003; Buglione, 2004; Buglione, 2005).

4.3 Complaints rose in front of the Constitutional Court (years 2000-2004)

<i>Complainant</i>	<i>Governed by (period 2000-2004)</i>	<i>n. of petitions</i>
<i>National government</i>	From Spring 2001: centre-right	37
<i>Regions*</i>		92
Region Emilia-Romagna	Centre-Left	18
Region Tuscany	Centre-Left	18
Region Marche	Centre-Left	14
Region Umbria	Centre-Left	11
Region Campania	Centre-Left	8
Region Basilicata	Centre-Left	7
Province of Trento	Centre-Left	4
Province of Bozen	Centre-Left	3
Region Lombardy	Centre-Right	3
Region Lazio	Centre-Right	2
Region Veneto	Centre-Right	1
Region Sardinia	Centre-Right	1
Region Piedmont	Centre-Right	1
Commissioner for Sicily	Centre-Right	1
<i>Law-courts</i>		36
Tribunals	-	13
Regional Administration Courts	-	12
State council	-	3
Audit Office	-	3
Court of Appeal	-	2
Justice of the Peace	-	2
Court of Cassation	-	1

Personal processing on data from *Il Sole 24 ore/Unioncamere* (2005: 265-9): Note: *) 7 Regions never lodged a petition.

4.4 Data on migration

Pardons and pardoned undocumented migrants in Italy (1990-2002)

<i>Areas and countries</i>	<i>Law 39/90</i>			<i>Decree 489/95</i>			<i>Decree 286/98</i>			<i>Law 189/02 and 222/02</i>		
	<i>MF</i>	<i>%F</i>	<i>%</i>	<i>MF</i>	<i>%F</i>	<i>%</i>	<i>MF</i>	<i>%F</i>	<i>%</i>	<i>MF</i>	<i>%F</i>	<i>%</i>
Pardoned – Total	217,626	26,0	100,0	244,492	31,0	100,0	217,124	28,0	100,0	646,829	46,2	100,0
Europe	27,699	41,5	12,7	63,128	31,9	25,8	81,672	29,8	37,6	383,107	56,9	59,2
Eastern and Continental Europe	22,650	35,4	10,4	61,673	31,2	25,2	81,024	29,7	37,3	382,992	56,9	59,2
<i>Albania</i>	2,471	11,7	1,1	29,724	18,4	12,2	38,996	16,9	18,0	47,763	19,3	7,4
<i>Moldova</i>	-	-	-	-	-	-	950	69,2	0,4	29,471	71,7	4,6
<i>Poland</i>	5,366	51,8	2,5	7,926	66,8	3,2	5,077	72,4	2,3	30,021	78,0	4,6
<i>Romania</i>	760	56,2	0,3	11,099	28,8	4,5	24,098	33,4	11,1	134,909	45,2	20,9
<i>Ukraine</i>	-	-	-	295	79,0	0,1	2,050	79,0	0,9	101,651	85,3	15,7
Africa	127,027	15,2	58,4	96,926	17,8	39,6	72,012	17,4	33,2	108,540	14,3	16,8
<i>Morocco</i>	48,670	8,9	22,4	34,258	10,2	14,0	23,850	11,3	11,0	48,174	13,5	7,4
<i>Senegal</i>	15,966	2,9	7,3	9,889	2,6	4,0	10,727	5,3	4,9	12,372	9,3	1,9
<i>Tunisia</i>	26,318	7,0	12,1	10,362	9,6	4,2	5,565	6,1	2,6	8,843	4,6	1,4
Asia	46,973	33,2	21,6	61,349	36,4	25,1	47,768	27,7	22,0	87,949	25,3	13,6
<i>Bangladesh</i>	3,861	1,0	1,8	6,162	0,9	2,5	6,689	0,7	3,1	10,687	0,7	1,7
<i>China</i>	8,580	37,3	3,9	14,445	41,4	5,9	16,787	39,1	7,7	33,950	37,8	5,2
<i>Philippines</i>	13,684	62,3	6,3	21,406	62,7	8,8	6,696	64,7	3,1	9,821	60,1	1,5
<i>India</i>	2,819	11,8	1,3	5,623	3,6	2,3	4,697	3,8	2,2	13,399	2,9	2,1
<i>Pakistan</i>	4,510	2,1	2,1	4,499	1,4	1,8	6,592	1,1	3,0	9,649	0,7	1,5
<i>Sri Lanka</i>	5,258	2,4	2,4	6,993	26,2	2,9	4,090	27,6	1,9	7,030	20,0	1,1
America	15,501	64,2	7,1	23,021	69,5	9,4	15,597	68,5	7,2	67,143	64,6	10,4
<i>Ecuador</i>	344	70,3	0,2	2,066	72,1	0,8	5,178	70,3	2,4	34,294	64,7	5,3
<i>Peru</i>	2,057	60,8	0,9	12,753	69,2	5,2	4,960	67,5	2,3	16,213	65,5	2,5
Developing countries	208,972	24,6	96,0	242,457	30,7	99,2	215,673	27,9	99,3	645,947	46,2	99,9
Pardoned on 100 regular residents*	120,9			45,9			24,9			47,8		

ISTAT (2005d: 6); Notes: *) only from developing countries; Information for 2002 pardon is processed by ISTAT on data from Ministry of Interior. Other data are taken from Carfagna (2002).

Foreign stayers and residents (January 1st, 2003-2005)

<i>Foreign citizens</i>	<i>01/01/2003</i>		<i>01/01/2004</i>		<i>01/01/2005</i>	
	<i>N.</i>		<i>N.</i>	<i>Δ</i>	<i>N.</i>	<i>Δ</i>
Foreign regular stayers*	1,800,000		2,570,000	42,8	2,740,000	6,6
Foreigners with a permit of stay**	1,503,286		2,227,567	48,2	2,320,000	4,1
Foreigners recorded in the town registers (residents)	1,549,373		1,990,159	28,4	2,402,157	20,7
- Minors***	355,000		412,432	16,2	501,792	21,7
- % of minors on foreigners recorded in the town registers	23,0		20,7		20,9	
- % of foreigners in the town registers on stayers	86,1		77,4		87,7	
- % of foreigners recorded in the town registers x 100 recorded	2,7		3,4		4,1	

Notes:

* Estimate based on adult foreigners with a permit of stay plus foreign minors recorded in town registers.

** In the stock under 01/01/2004 date 26,000 permits of stay due to the last pardon are included, since they pertained foreigners already living in Italy at the beginning of the year, but waiting for the processing of their application. Data under 01/01/2005 date are estimated, since there aren't yet data from the Ministry of Interior.

*** Data under 01/01/2003 is an estimate.

ISTAT processing on data from the Ministry of Interior (ISTAT, 2005d: 2).

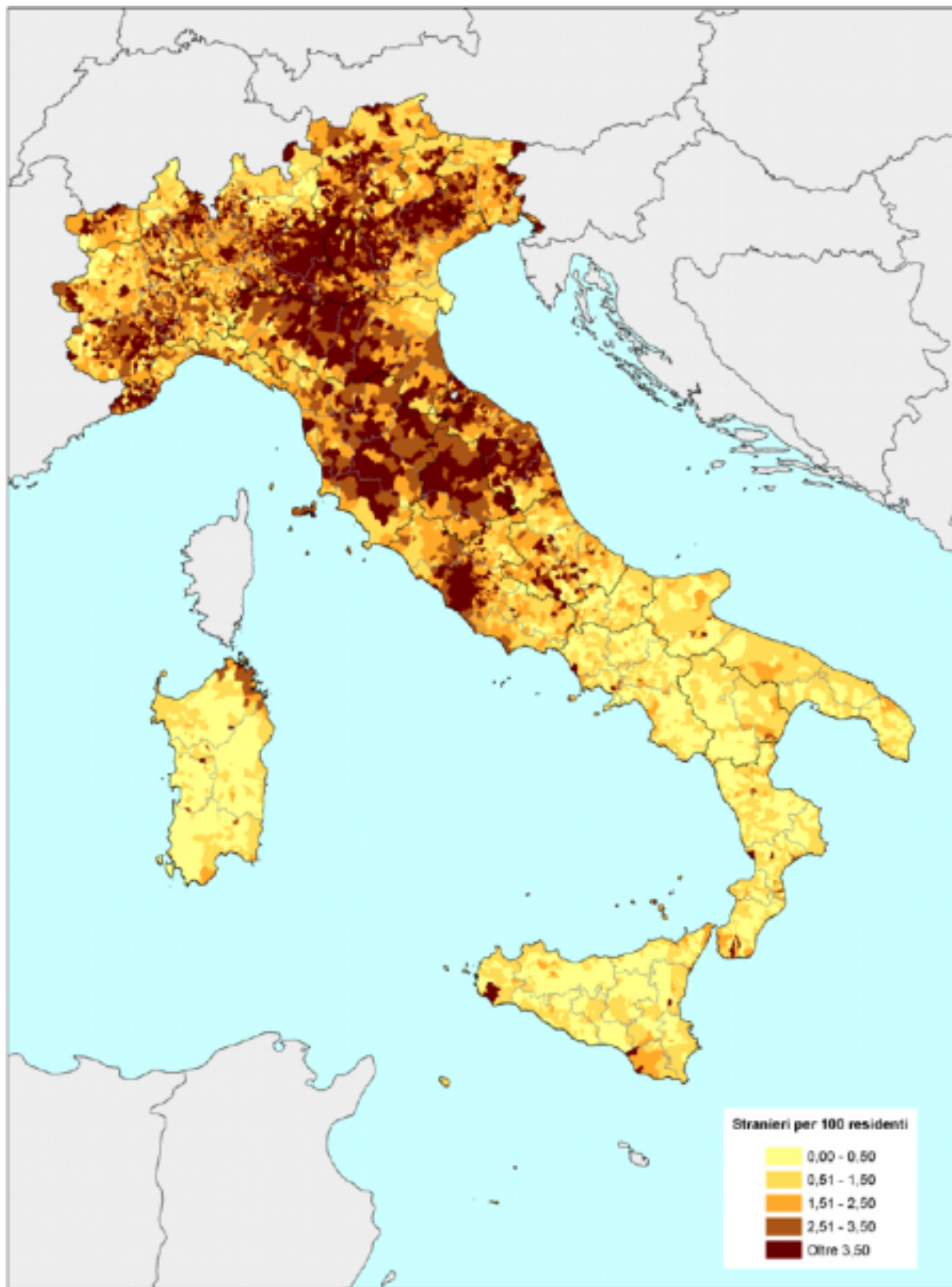
Permits of stay per citizenship. Ranking of first 12 countries (01/01/1992 and 01/01/2004)

	<i>Countries</i>	<i>01/01/1992</i>					<i>Countries</i>	<i>01/01/2004</i>				
		<i>N.</i>	<i>%</i>	<i>%F</i>	<i>Married</i>			<i>N.</i>	<i>%</i>	<i>%F</i>	<i>Married</i>	
					<i>%</i>	<i>M/F* 100*</i>					<i>%</i>	<i>M/F* 100*</i>
1	Morocco	83,992	12,9	9,7	38,2	654,7	Romania	244,377	11,0	49,4	50,8	92,6
2	Tunisia	41,547	6,4	9,0	20,0	359,7	Albania	240,421	10,8	38,5	57,5	108,2
3	United States	41,523	6,4	65,3	62,2	33,1	Morocco	231,044	10,4	31,1	48,9	143,2
4	Philippines	36,316	5,6	45,6	45,6	64,5	Ukraine	117,161	5,3	84,6	53,6	17,9
5	Ex-Yugoslavia	26,727	4,1	50,6	50,6	186,0	China	104,952	4,7	44,6	52,7	105,6
6	Germany	26,377	4,1	45,2	45,2	83,9	Philippines	76,099	3,4	63,3	56,2	70,9
7	Albania	24,885	3,8	27,7	27,7	227,6	Poland	64,912	2,9	75,2	43,3	33,9
8	Senegal	24,194	3,7	2,9	45,9	3540,3	Tunisia	62,651	2,8	24,4	50,8	165,9
9	Egypt	18,473	2,8	14,2	39,2	240,1	Senegal	49,720	2,2	10,8	55,4	644,8
10	U.K.	17,351	2,7	7,9	42,2	76,9	India	49,157	2,2	32,0	45,5	159,1
11	France	16,637	2,6	60,6	42,0	71,7	Peru	48,827	2,2	65,6	36,6	60,5
12	China	15,776	2,4	39,8	64,0	141,4	Ecuador	48,302	2,2	65,5	36,1	57,8
<i>Total 12</i>		<i>373,799</i>	<i>57,6</i>				<i>Total 12</i>	<i>1,337,623</i>	<i>60,0</i>			
<i>Total</i>		<i>648,935</i>	<i>100,0</i>	<i>39,9</i>	<i>40,7</i>	<i>127,4</i>	<i>Total</i>	<i>2,227,567</i>	<i>100,0</i>	<i>48,3</i>	<i>49,9</i>	<i>90,3</i>

Note: *) Number of married males per 100 married females.

ISTAT processing on data from the Ministry of Interior (ISTAT, 2005d: 3).

Percentage of foreigners recorded in the town registers on 100 recorded



ISTAT, 2001.

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