

## SUMMARIES

### **The independent administrative authorities in Italy**

by Massimo Morisi

Italy in the last ten years has witnessed the rise of new instruments of government: the Independent Administrative Authorities. This paper deals with the rapidity of their growth and their indigenous development. Is the institution of these new administrative arenas due to the crisis of party government? Is it our generation's answer to the inadequacy of the traditional instruments of State regulation? The author remarks that two tendencies combined and interacted each upon the other: the tendency to reshape the traditional parties gatekeeping, and the tendency to find new legitimation for policy making. These two tendencies would represent the next step of the Italian democracy stabilisation process.

The growing pressure for efficiency and effectiveness has produced a new localization of responsibility and new regulatory methods no more related to a legalistic approach to limitations upon authority but to particular policy areas or issues. The chief virtue of this tendency toward delegation of power to Administrative Authorities seems to be the combination of regulatory and enforcing functions to make effective the policies that were being demanded.

From this standpoint the institution of significant administrative agencies such as the Antitrust, the Garante per l'Editoria and the Authority for public utilities is related to a new politics of policy making and, finally, to a new concept of pluralistic democracy.

The paper concludes that empirical researches on the impact of Independent Administrative Authorities' decisions on the political and economic systems cannot be delayed any more.

## Dilemmas of «constitutional democracy». The role of the Constitutional Court in German politics and the problem of a European constitution

by Gian Enrico Rusconi

Democratic regimes are typically also «constitutional regimes». This linkage which is at the heart of contemporary liberal democracies implies that the principles and the institutions of «popular sovereignty» have to coexist with the principles and the institutions of the «sovereignty of the Constitution». The German case which combines on one side parliamentary and executive institutions enjoying a strong popular support and an activist federal court which can derive its authority from the solid legitimacy acquired by the *Grundgesetz* is particularly relevant for exploring the problems of «constitutional democracy». In this article Rusconi examines in details the discussion that has developed in the Federal Republic among constitutionalists and political scientists on these themes following a number of important decisions taken over the years by the *Bundesverfassungsgericht*. The Author underlines that criticism against the activist role of the Court have come both from the Right and from the Left. The most frequent arguments of the critics have revolved around the limitations implicitly or explicitly set to popular sovereignty by judicial decisions. Yet in spite of the criticism German political life seems to have found an equilibrium between the «democratic» and the «constitutional» elements. Some degree of mutual restraint from both sides has probably played a crucial role in avoiding major conflicts in a situation where in principle the roles of the representative institutions and of the federal Court are well defined by the constitution but in practice the borderlines are much more uncertain. The increasingly supranational character of the European Union and the problems of its democratic foundations open a whole new range of problems of «constitutional democracy». The traditional problem of the relationship between democracy and constitution acquires new complications in a situation where Europe is obviously not a State but it is much more than an agreement among states and where problems connected with the relationship between national constitutions and the European constitution and between national democracies and European democracy begin to arise. The debates that have begun to develop on this subject in Germany among scholars and the first decisions of the Federal Court on related matters suggested to Rusconi to extend the original discussion about «constitutional democracy» to the implications produced by the new European situation.

## Secondary school in Europe: A comparative analysis on organisational reforms

by Sofia Ventura

This article examines the principal reforms of secondary school organisation introduced in eight European countries: Belgium, France, Germany, Great Britain, Italy, The Netherlands, Spain and Sweden. Since the 60s, some of these countries, by means of such reforms have achieved the goal of uniting various types of schools, in place of the traditional division into three types, the Lycées, technical schools and professional schools, by creating comprehensive schools. In some cases only the lower level, in others all levels of secondary schools have been united. In the remaining nations, changes have either impinged only marginally on the traditional set-up (Belgium and The Netherlands) or have been virtually non-existent (Germany).

The author gives an explanation of these different results, by means of focusing on explanatory factors, such as the political and institutional characteristics of the political system, the institutional characteristics of the ruling of the school system, the policy legacy. She has also suggested a few hypotheses to explain the peculiarity of the Italian case. The reform process in Italy, although it reached a positive outcome by creating the «Middle school» in 1962, at the same time as Sweden and earlier than in other countries, has not produced any decisions as regards higher secondary education.

### Which secession in Italy?

by M. Chiara Barlucchi

The attempts of the *Lega Nord* for a secession of the northern part of Italy and for the creation of an independent state of *Padania* can be interpreted as one outcome of the still existing political dissatisfaction of Italian citizens with the working of democratic institutions.

By using data of Eurobarometer and national surveys this paper examines to which extent secession is a *real* alternative for overcoming the political dissatisfaction. According to the analysis, secession can be interpreted as a password restricted to the extremists of the *Lega Nord*. The majority of citizens ask for a renewal of the whole system: the current structure of the State is considered a good one in comparison with other models: it has only to work better. To reach this aim, it is desirable to find positive solutions and not fragmentational ones.

## Order and change in the international relations

by Alessandro Colombo

After a long silence, hegemonic theories have drawn attention to international change. Nevertheless, because of their relationship with the debate on the American decline, hegemonic theories have focused on a particular kind of international change – the rise and the decline of world powers – while ignoring all the others. Their main feature is not the often criticized link between order and hegemony, but a particular idea of the international order as a unique, and naval, order. This notion of order is too narrowly focused on seapower to explain the bulk of the contemporary international change, from processes of fragmentation to regional reaggregation, from ethnical and national revival to region-building, from underdevelopment to the collapse of states and whole regions. The outcome is that the existing theories of international change concentrate their attention on something which has not happened, while none of them provide a convincing explanation of the new world disorder.