

Jeopardizing Democracy by Shrinking Participation? Two Years of Giorgia Meloni's Government

[Mettere a rischio la democrazia restringendo la partecipazione? Due anni di governo Meloni]

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Abstract

[It.] Il Governo diretto da Giorgia Meloni guida l'Italia da ormai due anni. Quando divenne Presidente del Consiglio, alcuni commentatori mostrarono preoccupazione per il suo retaggio fascista. Mentre finora il suo Governo non ha resuscitato il fascismo, se si ritiene che la partecipazione e la discussione pubblica siano l'anima della democrazia allora le azioni del Governo Meloni andrebbero guardate con attenzione. In particolare, tre riforme, qui descritte, che riducono il ruolo del cittadino nella democrazia e, in questo modo, iniziano a restringerla.

[En.] The Government led by Giorgia Meloni has now ruled Italy for two years. When she became Prime Minister, some commentators were worried about her fascist heritage. While so far, she has not resurrected fascism, if one believes participation and public discussion are the core to democracy, then the actions of the Meloni Government should be monitored closely. In particular, this concerns three reforms, here described, which shrink citizens' role in democracy and, in this way, possibly start jeopardizing it.

Parole-chiave: Partecipazione pubblica – Sfera Pubblica – Riforme – Governo italiano – Democrazia a rischio.

Keywords: Public participation – Public sphere – Reforms – Italian Government – Democracy jeopardization.

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1. Introduction

Little more than two years have passed since Brothers of Italy, the party led by Giorgia Meloni, won Italy's 2022 General Elections. The news of her winning the Elections and being destined to become Italian Prime Minister raised some concerns, in Italy and abroad. Many of these concerns were due to her fascist heritage, with some commentators¹ stating that «she is a danger to Italy and the rest of Europe». Others, even before Meloni actually became Prime Minister, stressed how she was «already placing herself in the company of Europe's authoritarian populists», and that it threatened «to send Italy down a dangerous authoritarian path»². Not all political scholars and journalists, however, are so worried about Giorgia Meloni. In June 2024, for instance, *The Economist*³ labelled Giorgia's Meloni government a «not-so-scary right-wing government», and stated that «Liberal fears have so far proved overblown».

Surely, if one was expecting Giorgia Meloni to resurrect *camicie nere*, Mussolini's voluntary militia, s/he would have been wrong since the beginning. However, this does not mean Meloni's government is not doing any democratic harm to Italy. In particular, and this is the crucial point of this contribution, it is believed, and will later be shown, that after two years of ruling the country, one of Meloni's government biggest deliveries is the compression of spaces for democratic participation and discussion. By democratic participation, it is here meant the possibility citizens have to partake in public decision-making. Public participation has been discussed for centuries by philosophers⁴, politicians and politics scholars⁵. According to some⁶, democracy cannot do without citizens' involvement in the public sphere and in public decision-making processes. This is

¹ R. Saviano, *Giorgia Meloni is a danger to Italy and the rest of Europe*, in *The Guardian*, 2022. www.theguardian.com/world/commentisfree/2022/sep/24/giorgia-meloni-is-a-danger-to-italy-and-the-rest-of-europe-far-right.

² M. Pascoletti, *Why the rise of Giorgia Meloni is anything but business as usual for Italy*, in *Open Democracy*, 2021. <https://www.opendemocracy.net/en/why-rise-giorgia-meloni-anything-business-usual-italy/>.

³ See for instance: <https://www.economist.com/leaders/2024/01/24/giorgia-melonis-not-so-scary-right-wing-government>.

⁴ Just to mention two crucial works dealing with citizens' participation, and published by philosophers between the eighteenth and the nineteenth century, J.-J. Rousseau, *Il contratto sociale*, Feltrinelli, 2014 (1762); A. de Tocqueville, *La democrazia in America*, UTET, 2014 (1835).

⁵ One of the first scholars to use the expression “participatory democracy” for instance was A. S. Kaufman, *Human nature and participatory democracy*, in C. J. Friedrich (Ed.), *NOMOS 3: The American Society for Political and Legal Philosophy*, Harvard University Press, 1960, 266-289. The concept was then also later used by other scholars, see for instance C. Pateman, *Participation and democratic theory*, Cambridge University Press, 1970.

⁶ See for instance C. W. Flanders, *What is the value of participation?*, in *Oklahoma Law Review*, 66(1), 2013; J. W. van Deth, *Studying political participation: towards a theory of everything?* Paper presented at European Consortium for Political Research's Joint Sessions of Workshops, Grenoble, France, 2001.

for instance the branch of authors that look at decreasing turnouts with anxiety. Others⁷ believe the role of participation in democracy is overrated.

Here, although acknowledging that participatory policies, if poorly implemented, can also end up producing bad or even undemocratic outcomes⁸, it is suggested that any attempt to limit citizens' possibility of taking part in decision-making processes, and of safely joining the public sphere for discussion, should be looked at with suspicion, at the very least. These attempts, indeed, hurt democracy, if one believes, as it is done here, that participation and discussion are core to democracy. So far, Meloni's Government passed one reform, is on the way to approve one, and suggested another, which head to the direction of limiting citizens' role in Italian democracy. By shrinking participation and public discussion, it is here stated Meloni's government is possibly jeopardizing democracy. The above-mentioned reforms, which are now going to be described, should cause some concern.

2. The passed reform. Public debate? No, thank you. Making participatory tools concerning strategic infrastructures pointless

The first reform passed by Meloni's Government which restricts citizens' role in Italian democracy came into force in 2023. Reference here is to Legislative Decree n. 36/2023, better known as *New Public Procurement Code* (NPPC). This is a massive piece of legislation, counting more than 200 articles and several Annexes. NPPC's Article 40 changes previous legislation concerning a participatory/deliberative tool at the national level called "public debate" (PD).

PD was originally born in France (called *débat public* in French), in 1995⁹, and current legislation is found in the French *Environment Code*. Between the end of the Eighties and the beginning of the Nineties, France was indeed shaken by huge protests aimed at two huge infrastructural projects, a tunnel at the border with Spain and a high-speed railway connecting Saint-Marcel-lès-Valence to Marseille¹⁰. Massive infrastructural projects tend to attract protests and opposition because of the economic, health-related and environmental impacts they have on the territories where works take place¹¹. Consequently, French government introduced PD as a tool to let the conflict concerning these works emerge before they actually started, and before citizens thought they needed to gather the streets and boycott the works to have their voice heard. Today, PD is considered to have

⁷ See for instance: J. Brennan, *The ethics of voting*, Princeton University Press, 2012. According to Brennan most citizens are not even sufficiently equipped to participate responsibly. See also: B. Saunders, *The democratic turnout "problem"*, in *Political Studies*, 60(2), 2012.

⁸ R. Blaug, *Engineering democracy*, in *Political Studies*, 50(1), 2002.

⁹ A. Nicõtina, *A procedural idea of environmental democracy: the "débat public" paradigm within the EU framework*, in *Review of European Administrative Law*, 14(2), 2021.

¹⁰ M. Timo, *Il dibattito pubblico sulle grandi infrastrutture fra codice italiano dei contratti e code de l'environnement francese*, in *DPCE Online*, 2, 2019.

¹¹ L. Bobbio, *Il dibattito sulle grandi opere. Il caso dell'autostrada di Genova*, in *Rivista Italiana di Politiche Pubbliche*, 1, 2010.

three main values¹². An informative one: it is used to provide citizens with clear information about the characteristics of the projects meant to be implemented. A dialogic/deliberative one: citizens are given the opportunity to discuss the project's features among themselves and with the implementers. Finally, an implementer-assistance one: by listening to citizens opinions and suggestions, implementers can reach better decisions. All of this must be implemented when all decisions concerning the project are still possible, including giving it up.

This model was essentially imported by the Italian legislator¹³. Twenty PDs at the national level have so far been implemented or are in progress. These implementations were monitored by the *National Commission for Public Debate*, an independent administrative authority established by Italian legislation, which was also entitled to propose recommendations for a better implementation of the tool. At the beginning of 2023, NCPD, as established by legislation, issued a report with suggestions to improve the tool¹⁴. With Law n.78/2022, the Italian Parliament had delegated the Government to update the “old” Public Procurement Code, Legislative Decree n. 50/2016, which introduced PD in the Italian legal framework (several acts came next, Legislative Decree n. 50/2016 was not the only and the not the main act which regulated PD in Italy). Given this goal, NCPD's suggestions could prove precious for the Government.

These suggestions were almost totally disregarded. The Government decided instead to get rid of the NCPD, and its monitoring and advisory functions; to forbid single citizens to partake in PD, only allowing collective stakeholders and public administrations to do so; and to turn the process from in-person to exclusively online (with possible exceptions), in this way severely impacting the dialogic/deliberative value of the process. Overall, this reform dismantled the tool, making it pointless.

3. The reform on its way. Increasing the cost for protesting

When the Government dismantled the Italian *débat public*, it seemingly sent a message along the lines of “We do not want citizens to participate in public decision-making”. However, *débat public* was a regulated policy, which was relatively easy to tear down. Citizens, by the way, do not only have the option of partaking in established policies to have their voice heard in democracies. They can also join social movements, gather the streets, protest. This is something that, in recent years, particularly happened with environmentalist movements: think,

¹² V. Molaschi, *Le arene deliberative. Contributo allo studio delle nuove forme di partecipazione nei processi di decisione pubblica*, Editoriale Scientifica, 2018.

¹³ R. Wacogne, *When heritage and landscape values are confronted by planned infrastructures: a glance at “public debate” (“dibattito pubblico”) procedures in Italy*, in *Sustainability*, 16(14), 2024.

¹⁴ See the 2018 CNDP Report: www.mit.gov.it/nfsmitgov/files/media/documentazione/2023-01/Relazione_alle_Camere_CNDP_.pdf.

for instance, of the “Fridays for Future” movement. When they decide to do so, citizens do not of course officially take part in decision-making processes, but they attempt to influence them through the public sphere¹⁵. In a democracy, taking part in these actions should come at no cost. Italy, however, is going to increase the cost for carrying such actions out.

The reference here is to the draft of the new Security Law¹⁶, approved by the Chamber in September and now under scrutiny at the Senate. The draft approved by the Chamber contains two articles in particular (Article 14 and Article 19) which are very likely to discourage citizens to take part in specific actions. The former turns blocking streets and railways (with one’s own body), a type of action quite common for organized groups, from an administrative infringement, punished with a fine, to a crime, punishable with prison. In particular, up to one month if the action is solitarily conducted, from six months to two years if the action is carried out by a (presumably organized) group of people. Article 19, instead, states the punishment for “violence or threat committed to stop the realization of public works or a strategic infrastructure” must be increased, compared to punishment for “standard” violence and threat to public officials.

Article 14 is clearly likely to discourage those groups of activists which used to protest by blocking streets (or railways), knowing they could only bump into administrative fines. Article 19, even though it wants to address violent behaviours during rallies, risks discouraging citizens from participating in protests against public works or strategic infrastructures (which potentially could be anything), including citizens having no violent intentions. Indeed, big rallies already constitute relatively messy contexts, where one’s actions also risk being misperceived as violent or threatening, and where finding out who really committed what, if something happens, is really hard, and this already discourages participation. Increasing the punishment for actions conducted during rallies might make the situation even worse. Overall, Article 14 and Article 19 apparently aim to discourage confrontational actions by increasing (probably disproportionately) the costs for political protests¹⁷. They apparently tell citizens to think about it two times, when deciding whether to take part in public protests.

4. Possible future reform. Making it harder for citizens to trigger referenda

If the reform addressed in Section 2 is already into force, and the one covered in Section 3 is on its way, the one dealt with in the next lines is just something a

¹⁵ A. H. Baqueiro, *The participation of Civil Society Organizations in public policies in Latin America*, in *VOLUNTAS: International Journal of Voluntary and non-profit organizations*, 27(1), 2016.

¹⁶ A. Giuffrida, *Demonstrations being held in Italy against “repressive” security bill*, in *The Guardian*, 2024. <https://www.theguardian.com/world/2024/sep/25/demonstrations-being-held-in-italy-against-repressive-security-bill>.

¹⁷ M. Shadmehr, *Mobilization, repression, and revolution: grievances and opportunities in contentious politics*, in *The Journal of Politics*, 76(3), 2014.

few members of the governing coalition suggested. However, this suggestion is consistent with what written in the previous paragraphs, and with the Government's tendency to shrink public participation in Italy.

This is brand new polemics, too. In 2024, a group of civil society organizations and political parties launched a campaign to trigger a referendum regarding criteria to give foreign people the Italian citizenship. In particular, the referendum proposes to modify Law n. 91/1992, lowering from ten to five the number of years foreign people must legally and uninterruptedly spend in Italy before they can ask for the Italian citizenship. In a country ruled by a right-wing Government, whose attitude towards immigrants is clearly negative; where public prosecutors asked for a six-years-in-prison judgement for a current Minister¹⁸, accused of having illegally seized immigrants on board of a ship, ship which was forbidden to enter Italian ports; and where inhabitants in 2016 proved to be the most hostile in Europe towards immigrants¹⁹, this is evidently a sensitive topic. The organizers, according to Article 75 of the Italian Constitution, had to gather 500.000 signatures to ask for the referendum, and succeeded in reaching this number²⁰. While Giorgia Meloni stated, was it for her, the law would need no changes²¹, other members of the ruling coalition attacked on the procedure. Claudio Borghi, member of the League, stated that either the number of necessary signatures has to be raised, or the possibility gathering online signatures must be abolished, favouring the former option²². Alberto Balboni, member of Brothers of Italy, believes instead that the number of necessary signatures must increase²³.

To be honest, leftist politicians had made similar proposals in the past, too. For instance, during Sixteenth Legislature (2008-2013), Democratic Party's Member of Parliament Vittoria Franco proposed to raise to one million the number of signatures needed to trigger a referendum²⁴. Thus, the idea of increasing the number of signatures apparently has not specific political/ideological belonging. The idea comes from the observation that 500.000 signatures seemed a lot in 1948, when Italian Constitution came into force, and seem few now. This because new technologies, such as electronic signatures, make gathering these signatures easier; and because, compared to 1948, the number of electors has increased, which means the ratio "number of signatures needed to trigger a referendum/total number of electors" has decreased. What these proposals seem to forget is that,

¹⁸ See: <https://www.reuters.com/world/europe/italys-prosecutor-seeks-6-year-jail-sentence-salvini-migrant-kidnapping-charges-2024-09-14/>.

¹⁹ See: media.odi.org/documents/ODI-Public_narratives_Italy_country_study-revMay23.pdf.

²⁰ See: www.reuters.com/world/europe/italy-opens-way-referendum-easing-citizenship-rules-2024-09-24/.

²¹ See: <https://www.avvenire.it/attualita/pagine/cittadinanza-ci-sono-le-firme-tajani-stringe-i-te>

²² See: adnkronos.com/politica/borghi-referendum-raccolta-firme-online_4U1fonzHAvTqzsqgZnzjI5.

²³ See: <https://www.lapresse.it/politica/2024/09/26/referendum-borghi-lega-depositero-proposta-di-legge-per-abolire-raccolta-firme-online/>.

²⁴ See: <https://pagellapolitica.it/articoli/soglia-firme-referendum-cittadinanza>.

compared with older times, citizens today also tend to be more apathetic²⁵, harder to involve in politics through “classical” means, as witnessed by decreasing electoral turnouts²⁶ and numbers in the people who officially join political parties²⁷. Raising the threshold for referenda too much might represent a tombstone for this tool.

5. Conclusions

While Meloni’s Government has not resurrected fascism, it clearly has a negative attitude towards citizens participating in public decision-making, and citizens opting for confrontational form of protest in the public sphere. This attitude is evidently seeable in a number of reforms, passed, on their way or simply proposed, which were summarized in this article. This is an attitude which should be looked at with attention and monitored in the next months and years. By shrinking participation, current Italian Government might be jeopardizing national democracy.

²⁵ See for instance: N. Eliasoph, *Avoiding Politics: How Americans Produce Apathy in Everyday Life*, Cambridge University Press, 1998; and A. Zhelnina, *The apathy syndrome: how we are trained not to care about politics*, in *Social Problems*, 67(2), 2020.

²⁶ D. Fruncillo, *Verso la politica post-elettorale*, Rubbettino Editore, 2020.

²⁷ S. E. Scarrow, *Parties without members? Party organization in a changing electoral environment*, in R. J. Dalton and M. P. Wattenberg (Eds.), *Parties without partisans: political change in advanced industrial democracies*, Oxford University Press, 2020, 79-101.