

“Faced with the attention-seeking antics of Silvio Berlusconi and his political allies, increasingly the temptation is not to treat Italy seriously. The great achievement of the contributors to this excellent volume is to reach behind the façade of political posturing to show that Italy does matter, because the failure of Italy’s political system to come up with solutions to the chronic problems facing the country today poses questions that are relevant to all advanced democracies. Italy today, but where next?”

John Davis, *University of Connecticut, USA*

“Written by well known specialists and young researchers from Italy or outside, this book is dedicated to Contemporary Italy, considered as the sick man of Europe. All the aspects of its decline are studied in an interdisciplinary approach.”

Marc Lazar, *Sciences Po, Paris, France*

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The sick man of Europe

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Giuseppe A. Veltri**

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6 Family politics, the Catholic Church and the transformation of family life in the Second Republic

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Summary

In recent years a number of issues related to ethical and moral questions have taken central stage within the Italian political debate; the family in particular has emerged as a privileged instrument of political confrontation and propaganda. In itself, this is not a new phenomenon. The legal definition of what constitutes a family has represented a major scope of political confrontation throughout the post-war years, and any reform carried out in this area has provoked divisive reactions. In recent years, the controversies that have surrounded the regulation of medically assisted procreation and the attempt to regulate unmarried stable cohabitations have once again brought to the fore the political relevance of the family in contemporary Italy. Both debates, as well as a more recent controversy surrounding the introduction of the institute of the *testamento biologico* have showed the political use of ethical issues, as well as the role of the Catholic Church in establishing a dominant agenda on matters related to morality.

Introduction: the ambiguous role of the Italian family

During the last twenty years in Italy, the family has played a multifaceted and somewhat ambiguous role. On the one hand, when compared to other European countries, families seem to have retained a peculiarly strong social role. Families still represent the main provider of individual welfare, on the basis of strong links of support and dependency between generations (see also some discussion on welfare, job flexibility and social protections in Simoni's chapter). At the same time, Italy's dramatic fall in birth rates, and the phenomenon of the 'long thin family' show that transformations have taken place in Italians' family life and the expectations associated with it.

The ambiguities associated to the social role of the family in Italy are mirrored in the attitudes shown by Italian politicians. Throughout the years, politicians across the political spectrum have paid tribute to family values as the backbone of Italian society; however, scarce social support for families has represented a long-lasting feature of Italian social policy. Rather than being supported by the

state, Italian families have long been treated as having the sole responsibility for individual care and support.

It is therefore legitimate to ask what is in the pledge of protection of the family ritually affirmed by Italian politicians. My suggestion is that such a pledge represented, primarily, an ideological and cultural standpoint supportive of traditional values. In Italy, protecting the family meant essentially resisting transformations taking place in the way in which men and women choose to manage their sexual, reproductive and emotional lives.

Discussing the relationship between politics, family and the Church helps to explain the nature of some of the shadows hanging over contemporary Italian society. In what follows I will argue three main points: first, that politicians' rhetorical investment in 'family values' (not supported by coherent pro-family policies) has generated structural inequalities in terms of citizenship entitlements, on the basis of sexuality and lifestyles; second, that the Catholic Church has used the family to create a political space for itself; third, that the exploitation of the family as a means of political confrontation has undermined the possibility of engaging with social transformations and has limited the possibility of expanding social and civil rights in Italy.

The family and the Catholic cultural project in Italy

As discussed at length in Garau's contribution to *Italy Today*, the aftermath of World War II presented the Catholic Church with the challenge of having to re-establish itself in new democratic polities. A crucial means by which the Church reasserted its power was by establishing an overall authority on ethical issues, which allowed it to gain a vital role in decision-making processes. In recent years, the legitimacy of the Church's involvement on policy making in ethically sensitive areas seems to have become a *fait accompli*, while the fields open to such involvement have multiplied.

In a recent article, Vincenzo Ferrone (2008: 33–5) has argued that the Catholic Church's missionary zeal, which aimed to establish a Catholic cultural hegemony in the public sphere, intensified during the papacy of John Paul II (1978–2005). Ferrone contrasted the uncompromising attitudes of the Wojtyła years with the post-war period, when the Church seemed more willing to recognize the sovereignty of the state. The works of the Constitutional Assembly, in which Catholics took an active part in laying the foundation of the new democratic republic, would demonstrate their endorsement of the prerogatives of the secular state. In the case of the family, however, this went hand-in-hand with the determination to insert in the Constitution notions and definitions in accordance with the teaching of the Church. Christian Democrats (DC) fought hard to include a definition of the family as an institution of natural right, based on marriage and governed by immutable principles. Articles 29, 30 and 31 of the Italian Constitution established marriage as the only recognized basis for family life, and assigned to the state the primary duty of preserving the family's unity. In the Constitution, the rights of the family as an institution superseded the rights of its individual members, and the

protection of the family as a whole took priority over the guarantee of the 'legal and moral equality' of the spouses.

Outside the political sphere, a determined effort to affirm the Church's authority on family life was pursued by Pope Pius XII (1959–1958) through all available means of social communication. Pacelli asserted the centrality of the family to the creation of a Christian society and provided detailed guidance on family life, the meaning of marriage, and the relationship between the spouses. Moreover, Pacelli understood the extent to which the Church's project could be helped by secular professional organizations, including those representing doctors, nurses and lawyers, willing to act on its behalf in the social sphere. Professional organizations played a major role in the creation of the paradoxical situation (also described by Garau in this volume), according to which Catholic representatives act as influential members of supposedly neutral committees of experts advising on ethical matters of central importance to the Church.

The church and the political sphere

In the post-war years, the Church found in the DC a reliable representative on matters related to the family. However, the political transformations of the 1990s drastically changed the situation of the Church.¹ In particular, the disappearance of DC, which had been continuously in power throughout the post-war years, put an end to the so called 'political unity' of Catholics and brought about a declaration of political neutrality by the Catholic Church. Such neutrality in terms of party politics, however, did not mean a neutrality of the Church towards Italian political and social life.

In January 2006, the then-president of the CEI (the Italian Episcopal Conference), Cardinal Camillo Ruini illustrated the new horizons open to the Italian Catholic Church. Speaking of the forthcoming elections, Ruini stated that the Church intended to maintain a position of neutrality towards the competing political parties, but called Catholic electors to make their choice paying attention to statements such as 'the family is based upon marriage' and the 'respect of life from conception to its natural end'. Ruini criticized the growing tendency to introduce norms destined to undermine the social role of the family founded upon marriage, appealing to future Italian legislators to refrain from taking similar steps (Ruini 2006). Although Ruini avoided singling out specific parties, the reference to the introduction of partnership agreements in the centre-left coalition's electoral programme was not difficulty to see.

A similar line had already been taken up by the CEI in the 1996 election, shortly after the collapse of the DC. Then, the Church declared its support for candidates willing to stand for the respect of the person, the defense of human life from the moment of conception, and the promotion of the family founded upon marriage (Donovan 2003:107–9). This defined the Church's new 'cultural project oriented in a Christian direction'; not an attempt to recreate a sole party of the Catholics, but rather to provide 'guidance' to Catholic voters in a plural political system. The new horizon of the Church was the establishment of a

Catholic hegemonic culture. The transformations under way in the Italian political system supported such a project. The political fragmentation of the Catholic vote, far from depriving the Church of a referent in the political sphere, multiplied the number of parties claiming to be the most suitable representative of Catholic values. This had significant implications for the treatment of the family and more generally for any discussion concerned with morally sensitive issues.

A clear example of the tendency to exploit complex ethical questions for political reasons arose shortly before the publication of this chapter around the case of Eluana Englaro and the ensuing debate on the introduction in Italy of the so-called 'Dichiarazione Anticipata di Trattamento' (DAT). On 9 February 2009 Eluana Englaro died following the suspension of artificial feeding, which had kept her alive for the seventeen years she had spent in a persistent vegetative state. The suspension of artificial feeding was the outcome of a legal battle pursued by her father for more than a decade. In November 2008 the Corte di Cassazione (i.e. the Supreme Court of Cassation) sanctioned the legitimacy of suspending the interventions that kept Englaro alive, on the basis of a recognition of her will in this sense, orally expressed before her accident. This is not the place to discuss at length the complex legal, ethical and medical issues that surrounded the case. The political reactions that followed the ruling of the Cassazione and the position taken by the Church, however, are relevant to this analysis. Immediately after the Cassazione's ruling, the president of the CEI, Cardinal Angelo Bagnasco, accused it of constituting a potential 'first step toward euthanasia', and called for new protective legislation in this area. Besides the Church, calls for new legislation came from a range of parties throughout the political spectrum, albeit with different aims. On one hand, the government called Parliament to intervene to prevent courts from passing principles considered at odds with the respect of life. On the other hand, the centre-left coalition criticized the lack of legal instruments able to guarantee the respect of individual will in relation to medical treatment. In both coalitions, the issue tested the ability of achieving an overall consensus and gave some space to the representatives of the secular parties present in both areas. On the whole, however, the debate was dominated by the strong position taken up by the government and by Berlusconi himself, who, in line with the position of the Church, uncompromisingly condemned the suspension of artificial feeding in Englaro's case. In early February 2009, the government went so far in its attempt to stop the suspension of Englaro's care, as to promote an *ad hoc* decree, which eventually the President of the Republic refused to sign. The initiative received the strong support of the Church and resulted in a far-reaching institutional and public controversy. As in the case of artificial insemination discussed later in the article, the debate was characterized by an overall confusion and the prevailing ideological stances.

Family politics

From the 1990s, the most open endorsement of family values has come from parties on the centre-right of the political spectrum, and both the National Alliance (AN) and Forza Italia (FI) made frequent reference to the family, starting from

their programmatic documents. In AN's Charter of Values, published in 2000, the family and the 'right to life' appeared next to the nation, state sovereignty, and law and order, as the core values of the right (Tarchi 2003). The family was presented there as the embodiment of traditional values and upheld against transformations seen as a form of social and cultural decadence often defined as 'moral relativism'. This included erroneous conceptions of individual freedom likely to undermine the cohesion of the family as well as of society as a whole.

In the case of FI, the family constituted a frequent theme of political rhetoric since the creation of the party. In 1994, in the speech in which he announced his new political engagement, Berlusconi referred to the family as the 'original cell of every society', acknowledged it as one of the guiding values of his new party, and pledged to protect its dignity and its welfare through 'a new Italian miracle' (Berlusconi 1994). In FI's message, the family suggested a commitment towards solidarity and justified politics considered close to Catholic sensitivities. It also provided a theme around which the different political cultures present in the centre-right coalition could converge (Diamanti and Lello 2005). With the exception of a few dissenters, FI endorsed a conception of the family as an institution based on marriage and pursued a restrictive approach to sexual and reproductive rights. The contrast with the tribute paid by Berlusconi to individual rights and liberal values was apparent (Croci 2001: 9). The reference to the family fitted perfectly with FI's individualistic-familistic project: the family carried the responsibility for individual welfare and represented the sole sphere of individual responsibility. Rather than engaging with the reality of family life, Berlusconi's message fuelled the revival of Italy's 'familistic' culture discussed by Carboni in his contribution in this volume.

Finally, the family was used by Berlusconi as a useful metaphor to describe his own political and personal trajectory, as he presented himself alternatively as a father engaged in the rescue of his country, the offspring of a hard-working family, the devout son, and the patriarch at the head of a large family (Farrell 1995; MacCarthy 1996). Berlusconi's own reference to the family underlines the irony that strong supporters of traditional family values have themselves family lives that hardly comply with traditional models. The contradiction between a political message upholding traditional family values and Berlusconi's own lifestyle became even more glaring following his wife's accusations of inappropriate sexual conduct (including sex with under age women) in the spring of 2009. The protracted sex scandal that followed underlined the divergence between the rhetorical upholding of family values by centre-right politicians and their own family lives. The instrumental use of the family in Italian political discourse became thus obvious.

The first consequence of the political use of the family by the centre-right and the strong intervention in this area by the Catholic Church is that pursuing a liberal agenda in family politics has become a risky enterprise in Italy. This has affected the avenues open to parties on the centre-left of the political spectrum.

The position taken up by the centre-left Left Democrats (DS), in relation both to the issue of medically assisted procreation and the regulation of unmarried

cohabitation seemed in the first instance to be an attempt to mediate between contrasting expectations. The necessity to pursue a difficult mediation from contrasting expectation became even stronger in the centre-left following the creation of the Democratic Party (PD) in October 2007. The stated aim of the new party was to bring together Italy's 'reformist' forces, in a continuation of the Olive Tree coalition. The new party's statement of values indicated the upholding of Constitutional values and the recognition of the secular state as the most characterizing elements of the party's identity. The family was included in the party's Charter of Values as one of the founding social structures and families 'in their concrete conditions' acknowledged as the main intended beneficiaries of social policy and public support (PD 2008: 8).

Beyond such general common inspirations, however, the political forces that formed the new party diverged profoundly on questions related to family and ethical issues. In particular, the presence in the party of a significant Catholic component openly committed to the teachings of the Church, made it necessary a multifaceted – and in some cases seemingly contradictory – approach to the family and bio-politics, as the examples discussed later in the article show.

A family for the twenty-first century: modernization or decay?

The 1960s have been widely acknowledged as the moment in which marked signs of transformation in attitudes towards family life emerged in Italy. In relation to marriage, the decade saw both a surge in rates of first marriages and the beginning of a steady growth in marital separations, suggesting that ending an unhappy marriage was becoming increasingly acceptable in Italy across the social spectrum (Saraceno 2004). This shift in attitudes was not exclusive to Italy, but belonged to a wider trans-national revolution in values that had started already by the late 1950s.

In Italy, however, transformations in values and attitudes had to confront a strong social presence of the Church and the authority this exercised over the regulation of ethical and moral issues. In the 1960s, the notion of 'permissiveness' was widely employed by catholic commentators to define what they saw as an involution in Italian customs and values, seen as the consequence of the abandonment of Christian values. From a catholic perspective, permissiveness was the most dangerous by-product of modernity and as such had to be pushed back.

The lengthy political battle fought over divorce provides a good example of the difficulty of introducing secular reforms related to the family. As it has been widely acknowledged, the issue of divorce was imposed to the Italian political agenda by the small Partito Radicale, against the open opposition of the DC, and the cautious attitude of the Italian Communist Party (PCI). Although a first law was presented to Parliament by the socialist Loris Fortuna in 1965, the first divorce law was approved only in 1970, thanks to the favorable vote of the PCI. In 1974, the DC made a final – unsuccessful – attempt to repeal the law by referendum. If the defeat of the referendum showed that Italian society had embraced a secular

view of marriage, the troublesome route followed by the law proved the resistance of the main political parties to engage with a controversial issue, and the difficulty of the political sphere to catch up with social and cultural transformations.²

Attitudes towards separation and divorce were only part of the transformations taking place in family life. Remarkable changes were also happening in the way in which marriage was entered and managed, particularly in relation to reproduction. The post-war period saw a steady increase in the age at which Italian women married and had their first child – who, more and more often remained an only child. Such transformations were not only the consequence of practical (especially economic) constraints; they suggested that marriage and family life no longer met individuals' expectations, especially in the case of women. By the 1990s, marrying late, having fewer children, and in some cases, separating, divorcing and remarrying had become consolidated trends. Marriage, however, had not lost its social significance. In contrast to other Western European countries, divorce rates in Italy grew slowly and cohabitation remained comparatively limited (Zanatta 1997). Moreover, marriage remained the ultimate choice for the great majority of people when they decided to have children. Pre-marital and extra-marital sexual relationships had become widely accepted, but reproduction remained strongly connected to marriage.

The general – contradictory – picture was that of a country where most of the people still viewed marriage as the only suitable context for reproduction, but also where a growing number of couples no longer saw having children (particularly more than one child) as a necessary part of married life. As Italy reached one of the world's lowest fertility rates, it became clear that the resilience of marriage as an institution had not supported a strong investment in reproduction. On the contrary, since the 1950s – and more markedly since the 1960s – Italians proved remarkably successful in controlling their fertility despite a social and political context in which contraception was not only condemned by the Church but also made illegal by the state (Santini 1997).

As in the case of divorce, and also in the sphere of reproduction, only in the 1970s did legislative reforms start to catch up with changes that had already happened in social and cultural spheres. The repeal of legislation forbidding the sale of contraceptives in 1971, the establishment of family planning clinics in 1975 and the passing of the law on abortion in 1978 secularized the regulation of reproduction in the country. The defeat of the referendum called in 1981 to repeal the law on abortion confirmed that these legislative transformations were consistent with the views of the majority of Italians.³ Despite this, abortion, and more generally the issue of women's control over reproduction, continued to emerge in Italy as a terrain of confrontation between different political cultures and as a major field of intervention for the Catholic Church.

Regulating sexuality and cohabitation in Italy

The issue of artificial reproduction has recently brought to the fore the tensions that surround the regulation of women's fertility, the complex relationship that

exists between reproduction and notions of desirable family life, and the political significance of these issues in Italy. It has also emphasized the social significance of reproduction in Italy, highlighted, as Bonaccorso (2004) has showed, by the treatment of those couples unable to conceive who are 'denied the right to make a choice'.

In February 2004, the Italian parliament approved a new law regulating the access to so-called 'medically assisted procreation'. An area largely ignored by law became subjected to one of Europe's most restrictive regulations. Among the restrictions introduced by the law were the prohibition on using gamete donation (the type of treatment that requires the use of sperm or egg donors) for in vitro fertilization (IVF) treatments, and the exclusion from treatment of couples who sought IVF, not because they were unable to conceive, but in order to avoid the transmission of infectious or genetically transmittable diseases.⁴

The law designed by Parliament was openly endorsed by the government led by Silvio Berlusconi and was approved with a wide majority. Not only did the centre-right coalition (with only few dissenters among 'liberals') vote in favour of the law, but also part of the Daisy, the centrist Catholic-oriented component of the opposition, now part of the centre-left PD. On the other side, the law was strongly criticized by a large part of the opposition as well as by medical and scientific organizations and women's groups.

A referendum to modify the law was held in June 2005.⁵ The promoters of the referendum included numerous personalities from Left Democrats, Rifondazione Comunista, the Radical Party, but also some dissenters from the centre-right coalition, and a number of independent intellectuals. The leader of AN, Gianfranco Fini, expressed himself in favour of a partial liberalization of the law, causing a strong controversy within AN and the centre-right coalition.

Moreover, the campaign for the referendum saw the mobilization of a number of associations representing IVF treatment users, as well as promoters of scientific and medical research.

In the harsh campaign that preceded the referendum, defenders of Law 40/2004 asked voters to abstain, to prevent the referendum from reaching the minimum quorum of votes. The strategy proved successful and, with only about a quarter of electors having voted on 12–13 June 2005, the referendum was declared void.

It is hard to establish to what extent the low turnout at the referendum represented an endorsement of Catholic positions and how much was the outcome of the difficulty of engaging with complex technical and scientific issues, not helped by the scarce information provided by the media throughout the campaign (Bodei 2005). From a political point of view, however, the failure of the referendum was widely read as a victory of Catholic positions.

In 2007, the front that had come together for the referendum on Law 40 mobilized again, this time to oppose the introduction of partnership agreements, proposed by the centre-left coalition, then in power. This once again highlighted the difficulty of the centre-left coalition to pursue secular reforms in relation to the family. The inclusion of the question of partnership agreements in the centre-left coalition's electoral programme in 2005 required a lengthy mediation with the Catholic

components of the coalition.⁶ Once in power, an even more difficult undertaking faced the Government's attempt to transform the manifesto's general principles into an actual law proposal. The task fell to the Minister for Equal Opportunities, Barbara Pollastrini (Left Democrats), and the Minister for the Family, Rosy Bindi (Daisy). In February 2007, after months of negotiations between the secular and Catholic components of the centre-left alliance, the government finally approved a law proposal. The 'Italian way' to the regulation of stable cohabitations, as Rosy Bindi called the proposed DICO (*Diritti e Doveri dei Conviventi*), tried to regulate rights and duties of cohabiting partners while avoiding the model of partnership agreements operating in other European countries and widely criticized by the Italian Catholic Church. In presenting the law, its authors and supporters insisted that the new set of rights was not comparable to those instituted by marriage. Great emphasis was put on the fact that the DICO would regulate already existing situations and should not be seen as an alternative to marriage. Particular stress was put on the fact that the new institution did not represent a substitute for marriage for same-sex couples. Indeed, the law proposal did not make explicit reference to the existence of a sexual relationship between the partners and excluded any public ceremony likely to be criticized as a 'quasi-marriage'. The overall message sent to the Italian audience seemed to be that the DICO represented little more than an administrative procedure, which did not challenge the traditional notion of marriage and the family.⁷

Ultimately, however, neither the adoption of such a cautious approach nor the fact that leading Catholic personalities (beginning with Bindi) had played a crucial role in the writing of the text, were sufficient to protect the proposed reform from a barrage of criticism. A widespread accusation was that of introducing an unnecessary and 'complex third way between cohabitation and marriage', jeopardizing the fundamental prerogatives of the family as the union in marriage of a man and a woman (Galeazzi 2006).

With few exceptions, the opposition uniformly accused the centre-left government of undermining the family and embracing a dangerous relativism for instrumental reasons. The strongest attack came from the Church itself, when the CEI declared the impossibility for Catholics to accept a law acknowledging forms of cohabitation outside marriage.

Confronted with the rigid position upheld by the Catholic hierarchy, the supporters of the reform had little success in their attempt to defend the introduction of a new legal framework for cohabitation while refusing to acknowledge the equal legitimacy of different forms of family lives. Once again, the debate over the family had represented an occasion for ideological confrontation, hardly engaging with the multiform and changing realities of family life.

Conclusions

Significant changes have taken place in family life in Italy over the last fifty years, most notably, in relation to reproductive patterns. Attitudes towards marriage have also changed, as people increasingly started to marry less and later and a growing

number of them showed that they no longer considered marriage as a life-long commitment or expectation. At the same time, however, the social meaning of marriage as the basis of family life has proved more resilient than in most Western European countries. The number of divorcees grows in Italy, but remains relatively low, while reproduction rarely takes place outside marriage. In other words, the shape of the family changes, but marriage and family life retain a strong cultural value. Moreover, the family remains a sensitive theme of political confrontation, as shown by recent controversies provoked by the introduction of restrictive rules for the management of medically assisted procreation and the law proposal on partnership agreements. Although pertaining to different areas, both questions were criticized as having an impact on the family's rights and attributions and both proved highly controversial and divisive across the political spectrum. Two elements emerged from these debates. The first concerned the influence exercised by the Catholic Church and the extent to which Catholic values are constructed in political discourse as a constituent part of Italian culture to be upheld in law. The question has become crucial in recent years, as the Church has shown a growing determination to assert its position on a growing range of ethical issues. The second is the tendency to treat the family as an ideal rather than as a social reality.

Political confrontations over what the family should be have often ignored what actual families have become. A uniform concept of 'the family' has been upheld by supposedly pro-family positions as a means of opposing the introduction of measures considered likely to weaken 'traditional family life'. From this perspective, the growing diversity of family life in Italy has often been considered with concern, as the consequence of an unwelcome transformation of values, while the definition of the family contained in the Constitution has been used as the definitive argument against the introduction of reforms. This has ignored the experience of a growing number of people, whose family lives diverge from that described (or prescribed) by the Constitution. Among the others, it has silenced the experiences of one-parent families and families in which parents are not married, as well as that of children born outside wedlock and of same sex parents and partners. Within public discourse, the justification presented for this has often been that such families constitute 'minorities' experiencing problems irrelevant to the majority of the Italian population. From more conservative and catholic perspectives, the point has also often been made that conferring specific rights to forms of family life other than those sanctioned in the Constitution would be tantamount to encouraging socially undesirable lifestyles. Little space has been given to the analysis of the limitation that the influence exercised by the Church is imposing to individual rights. However, the determination of the Catholic church to affirm a hegemonic role in the moral sphere and the willingness of a number of political actors to support such a project result not only in the marginalization of the expectations of those people whose family life differs from the catholic model, but in overall limitation of the attribution of citizenship in Italy.

Notes

- 1 On the consequences of the disintegration of the DC and the role of the Church, see Donovan 2003.
- 2 On the transformation of attitudes towards separation and divorce, see Barbagli 1990, and Barbagli and Saraceno 1998.
- 3 Law 194 approved in 1978, *Norms for the social protection of maternity and the induced interruption of pregnancy*, usually referred to as 'abortion law' had in fact wider and more ambitious aims, stating the social relevance of maternity and the need to consider the induced interruption of pregnancy on the basis of social as well as medical and psychological considerations; for a statistical analysis of the impact of the law since its inception, see Buratta and Boccuzzo 2001.
- 4 Such restrictions were presented as a means of preventing the use of medically assisted procreation for the 'selection' of healthy children. The anti-eugenic argument was also at the basis of the prohibition of cloning, the production of human embryos for research, and the freezing and conservation of embryos. The new legislation also limited to three the number of embryos implanted at any treatment and restricted women's possibility to refuse to continue the pregnancy once the fertilization of the egg had taken place. Single people and homosexual couples were also excluded from access to medical treatment.
- 5 Among the elements of the Law 40/2004 that the referendum aimed to abrogate were the obligation to produce a maximum of three embryos and to implant them in one single operation, the prohibition to select embryos to be implanted and the exclusion from IVF of fertile couples at risk of transmitting genetic or infective diseases to naturally conceived children. The referendum also asked for the repealing of the prohibition for women to revoke their consensus to the implant once the egg had been fertilized and crucially, the elimination of the reference to the 'rights of the conceived', which for the first time introduced in Italian law the principle according to which the embryo should be treated as a subject of rights.
- 6 The formula introduced in the electoral programme of the Unione committed the future government to introducing the legal acknowledgement of the 'rights, prerogatives and faculties' of those living in stable partnerships – commonly defined in Italy as 'coppie di fatto', *Per il bene dell'Italia. Programma di governo 2006–2011* (p. 72).
- 7 According to Article 1 of the proposal, DICO concerned adults of either sex living together, in the presence of links of affection and material and moral assistance and support, and in the absence of relatedness, either through marriage, blood, adoption or affiliation. The existence of a stable cohabitation had to be registered with the local council; however, the registration did not need to be a joint act, but could be done separately by the two people (art. 1.1).

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7 The media between market and politics

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Summary

The Italian media has traditionally suffered from a lack of autonomy from politics. This lack of autonomy has historical roots. Owners of print and (later) broadcast media have found it difficult to profit, and have thus pursued political goals instead. This has had consequences for the types of journalists recruited. The public broadcaster RAI has thus found it difficult to resist pressure from politicians, pressure which predates Berlusconi's entry into politics, but which has been accentuated because of it. The issue of the independence of RAI and the duopoly in the television market thus remain substantial and unresolved issues for the Italian media.

Introduction

The Italian press and broadcast media do not enjoy a good reputation abroad. Sometimes this reputation is unmerited. When international commentators discuss how the Italian media *entertains* people, they typically focus on crasser elements of Italian television programming – 'bosoms falling out of skimpy dresses' (Jones 2003: 117) – instead of less accessible 'high culture' programming. (An example of the latter might be Roberto Benigni's recitation of Dante in prime-time without commercial interruptions). Broadcast executives have often insisted that Italian television, at its best, is the equal of any other European television.

More often, however, international comment focuses on how the Italian media *informs* people. Here, international and domestic opinion is typically strongly negative. One commentator said: 'In particular, it is argued that the press is not properly independent due to a number of factors: dependence on owners who use it to pursue their own political agendas; tendency to conflate opinion and information; vulnerability to business interests, especially in financial reporting; [and] the demise of the tradition of investigative journalism' (Lumley 2000: 402). These criticisms apply with even greater force to the broadcast media, where the public service broadcaster RAI¹ has, since its inception, been subject to political interference of varying intensity and where the main commercial broadcasting