



## **The June 12-13 Referendum: Four Questions About the Future of Italians**

Tiziana Maggio (May 18, 2011)



Pursuant to the Presidential Decrees dated March 23rd, 2011, four Referendum have been scheduled for June 12th-13 th, 2011. There are two elements that could raise the risks of the quorum not being reached in Italy: one relative to the dates chosen for the referendum, the other relative to the communication of the referendum itself.

The referendum is a very important tool of direct expression of the people's will and was first used in Italy in 1946, just after the end of World War II. Italians were asked to chose their form of government, between republic and monarchy. The vote decided the birth of the Italian Republic.



Since 1946 there have been other referendums as important, such as the one on divorce in 1974, abortion in 1981 and the 2005 one about the regulations of medically assisted procreation. The latter didn't reach a quorum, leaving the regulations in place. The referendum's typicality is that the result depends on reaching a quorum, a minimum legal number of voters, meaning over 50% of Italian voters, approximately 25.000.000. If this number isn't reached, the vote, whatever the result, is not counted and the referendum is null.

Only eight of the fifteen referendums since 1946 have reached the quorum. Not reaching the quorum is a consistent risk of every referendum.

Italians abroad are also called to vote in the referendum, according to the instructions that can be found [on i-Italy](#) [2] and on [Italian General Consulate in New York](#). [3] Following are the four questions:

The first and second question concern the same topic, the elimination of the regulations for the liberalization of public water management and the resulting privatization of the water network and services (aqueducts, sewers, etc.).

The economic, moral and management implications are obvious. The possibility of privatizing the management of water, a public and universal good, with the possibility of entrusting it to two or three large corporations, while it could repair certain faults of the distribution system, it could also be perceived as a threat to the democratic principles of distribution and have strong repercussions on management costs.

The third question is the elimination of recent legislature for the construction of nuclear power plants. According to the plans of the Italian government, beginning in 2013, four nuclear power plants will be built on the Italian territory.

This topic is quite relevant today after the horrible crisis that happened in March in the Japanese nuclear plant of Fukushima I, after two earthquakes and the resulting tsunami.

The fourth question asks for the elimination of the law of April 7, 2010, on 'legitimate impediment' for all Ministers and the Prime Minister, allowing them to never appear in court during office, because of the constant important commitments of government and institutional obligations. The morality and unconstitutionality of the law are obvious, since this goes against the principle of law equality. Article 3 of the Italian Constitution says: "All citizens have equal social dignity and are equal when facing the law, indistinguishable for sex, race, language, religion, political opinions, personal and social conditions".

But among the political and institutional people who should be appealing to that law, there is the Prime Minister himself, Silvio Berlusconi, who at the moment happens to be accused in three different trials, the 'Mills' trial for corruption, the 'Mediaset' trial for financial fraud, and the 'Mediatrade' trial for both embezzlement and financial fraud.

Although these four questions are morally, politically, and juridically relevant, there are two elements that could raise the risks of the quorum not being reached: one relative to the dates chosen for the referendum, the other relative to the communication of the referendum itself.

Keeping into consideration abstention as a perfectly legitimate choice, it must be said that the dates chosen for this referendum could condition its result.

The Government's choice to not have the referendum on the same dates as the administrative elections of mid-May, which would have made it logistically simpler as well as saved a huge amount of money, and instead have the referendum in mid-June could influence the results.

Many Italians will be away on that summer weekend thanks to lower costs and the first days of summer.



To this is added the second aspect, the communication of the referendum: it is now only a month away and Italians know almost nothing about it.

The institutional communication about the referendum, enforced by law on the three public channels (RAI) was scheduled to begin in April but has been continually delayed by the Vigilance Commission of Rai, which includes representatives of the government, and which seven times, during last month, postponed voting for the approval of the regulations regarding public information for the referendum.

This delay was caused by the absence of government representatives (from the Partito della Libertà, Lega Nord and Iniziativa responsabile), never allowing the Commission to reach the minimum number of voters.

Finally, on May 6, the President of the Republic Giorgio Napolitano, publicly reminded the President and General Director of Rai, Paolo Garimberti and Lorenza Lei, about the importance of assuring information about the Referendum on the public channels.

The same evening, Rai declared its commitment to predispose equal information about it, but in accordance to technical and institutional times, these will only be visible after May 25, allowing Italians to figure out how to vote only fifteen days prior to the Referendum.

But in the meantime, to compensate the negligence of the public televisions, mobilization on the web and in the streets seems to grow strong, with several specific websites and facebook pages with information and scheduled days of mobilization. So in the undergrowth of self-managed information the excitement and will to speak are high, but obviously it cannot be known if these will cover the whole territory and all voters.

So now there is only to wait for the counting of the ballots to know if Italians will decide to express themselves on four important topics against the difficulties of calendar and communication.

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[Gazzetta Ufficiale](#) [4]

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[2] <http://www.i-italy.org/node/9263/>

[3] [http://www.consnewyork.esteri.it/Consolato\\_NewYork](http://www.consnewyork.esteri.it/Consolato_NewYork)

[4] <http://www.gazzettaufficiale.it>

[5] <http://www.governo.it/Governo/Costituzione/principi.html>

[6] <http://www.interno.it/>