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A New Constitutional Status for Local Government?

Francesco Bilancia

The author introduces the main theme developed in the issue, dedicated to the new constitutional status for local government. The analyses stem from an initiative undertaken by the "San Martino" group of scholars, with the aim to use an objective and rational method of research, beyond the influence of specious or irrelevant references, such as those that tie the urgency of reform to the alleged need to face the economic crisis. The bottom line is that, to guide public discussion and the development of institutional transformation measures, it is necessary to hold together the economic crisis financial and budget effects with the more wide-ranging, significant need to rethink local government forms and role. The levels of analysis proposed in this issue are diverse, as shown by the variety of perspectives offered in the published contributions.

Essays and articles

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The Argentinian Federal Model: Lights and Shadows

Victor Bazàn

This paper aims to describe the current situation of Argentinian federalism; examine whether, in fact, the guidelines established by the 1994 constitutional reform in order to “strengthen” federalism, have been enacted; discuss selected issues of concern arising from federal dynamics, including: the possibility for provincial constitutions to acknowledge more rights than those contained in the national constitution or provide greater protection to such constitutionally sanctioned rights ; the “federal clause” included in some international agreements about human rights, such as the Pact of San José, Costa Rica; the impact of the compliance audit in federal relations; the future of federalism, as outlined in Argentinian institutions.

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