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Habermas on the barricades

*Democratizing the Public Sphere Through Direct Action:
a Case Study of Environmental Protest in Susa Valley, Italy*

BY

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A thesis submitted in partial fulfillment of the requirements for

Lund University International Master's Programme in Environmental Studies and Sustainability Science,

LUMES, 2009

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ABSTRACT

Deliberative democracy has been proposed as a mean for both “greening” and democratizing policy-making process at different institutional levels, and represents therefore one of the possible pathways to a more sustainable society. However, deliberative democratic theory is often criticized for its abstractness. This dissertation seeks to bring the question of public participation and deliberation down to the level of real-world politics, by analyzing an actual example of socio-ecological conflicts: the case of TAV in Susa Valley, Italy, where, for more than a decade, local citizens have been fiercely opposing the realization of a high-speed railway mega-project.

The insights provided by the major works of Jürgen Habermas represent the theoretical lenses through which the democratic potentials of the No TAV movement are examined.

The results of the analysis show that the institutional conditions underpinning Habermas’s model of deliberative democracy do not hold in the Italian political system and in the specific context of the TAV project. Moreover, contrarily to what Habermas would suggest, direct and confrontational actions by the No TAV movement have a fundamental role in fostering public deliberation.

The “anomalies” of the case study, however, do not lead to a rejection of Habermas’s theories, but to a critical reconstruction. Only by taking Habermas’s theory apart and putting it back together we can appreciate his most original contributions, those which make an Habermasian approach fruitful for both environmental activists and scholars of sustainability science.

KEYWORDS: *Jürgen Habermas; deliberative democracy; direct action; environmental movement; socio-ecological conflicts; No TAV; Susa Valley*

ACKNOWLEDGEMENTS

This thesis is the fruit of a long and problematic process, which has come to an end only thanks to the inestimable contribution of several people.

Although, after our two years it sounds like a meaningless formality, thank you Ahoo, Cary, Isaac and Roxy: 16078-702 is the way to go, you know.

Thank you Maria Assunta & Luigi, and Daniela & Francesco for the continuous moral and material support during my staying in Italy, and not only there.

Special thanks to my mom and dad, Anna and Nicola, because I would not be what I am now, without them. (Actually I would not be, at all).

Thanks to Davide, Paolo, Boris, Antonio and Serena for providing insights of critical importance on their political struggles.

Turaj, thank you for everything: this thesis cannot make full justice of what I have learned from you over the last two years, in and out of LUMES.

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LIST OF ABBREVIATIONS

BFN: Between Facts and Norms

EIA: Environmental Impact Assessment

NSM: New Social Movement

STPS: The Structural Transformation of the Public Sphere

TAV: Treno ad Alta Velocità (High-Speed Train)

TCA: The Theory of Communicative Action

1. INTRODUCTION

Just as Darwin discovered the law of development of organic nature, so Marx discovered the law of development of human history: the simple fact, hitherto concealed by an overgrowth of ideology, that mankind must first of all eat, drink, have shelter and clothing, before it can pursue politics, science, art, religion, etc.; that therefore the production of the immediate material means, and consequently the degree of economic development attained by a given people or during a given epoch, form the foundation upon which the state institutions, the legal conceptions, art, and even the ideas on religion, of the people concerned have been evolved, and in the light of which they must, therefore, be explained, instead of vice versa, as had hitherto been the case.

Friedrich Engels

Speech at the Graveside of Karl Marx (1883)¹

1.1 The Politics of Sustainability: Movements, Institutions and Socio-Ecological Conflicts

1.1.1 Social Change and Socio-Ecological Conflicts

Looking at the history of societal development, there is little doubt that human relations with nature have been, and to a certain extent still are, inherently antagonistic.

Widespread use of fossil fuels and their contribution to anthropogenic climate change, over-exploitation of natural resources and the systematic accumulation of waste substances in the environment, unsustainable paths of land use and biomass appropriation: the width and depth of those and other environmental issues hint at the recognition that processes of material growth and social coordination of the human species drastically impinge, at different geographical scales, upon the goals of preserving and conserving ecological systems.

However, the conception of social system as a separate entity from the surrounding natural environment is a fictitious simplification. As current research in ecological economics, political ecology and other multidisciplinary approaches to sustainability issues recognize, many anthropogenic outcomes on the environment might be difficult, if not impossible, to reverse (Fischer-Kowalski and Haberl 2007). Although dynamics of social development essentially differ from mechanisms of natural processes, we must never forget that our societies and economies are embedded within a thermodynamically closed system. Social and natural phenomena are thus better studied by applying the integrated framework of a *socio-ecological system*.

The feedbacks between society and nature, based on the continuous exchange of material and energy flows, therefore, can be described in terms of “social metabolism” (*ibid.*). To some extent, the use of this term underlie also a fundamental normative assumption, which is suggested by the very etymological roots of the word *metabolism* (from Greek μεταβολλειν, *metaballein* “to change”). If it is true, as ecological economists were able to claim more than a decade ago, that the total social metabolism was violating the necessary system conditions for a sustainable society² (Costanza et al. 1996), then, nowadays, it is even more evident that the ongoing process of social metabolism not

¹Speech at the Graveside of Karl Marx (1883). Available on <http://www.marxists.org/archive/marx/works/1883/death/burial.htm>

² I am referring to four socio-ecological principles: “(1) mined substances must not systematically accumulate in the ecosphere; (2) anthropogenic substances must not systematically accumulate in the ecosphere ; (3) natural capital must be preserved and conserved (4) resource use must be efficient and fair” (Costanza et al. 1996)

only implies social change, but necessarily requires it, not to jeopardize the goal of its own self-perpetuation.

Socio-ecological conflicts, rising over issues of fairness and equity in “ecological distribution” (Martinez-Alier and O’Connor 1996), are located at the heart of the sustainability challenges contemporary society is facing. When the burdens resulting from the systematic overexploitation of natural resources and accumulation of pollution are asymmetrically distributed among different groups and sectors of society, this may give rise to struggles for environmental justice by relatively excluded and powerless communities.

These struggles can be classified according to their geographical scale – local, national-regional or global – and the stage in the process of social metabolism in which they arise, that is “according to the different points in the ‘commodity chains’ where they occur, whether at the point of materials and energy extraction, or in manufacture and transport, or finally in waste disposal” (Martinez-Alier 2006:21).

A metabolic approach to theories of social conflict therefore calls therefore for a shift in conceptualizations of environmental protest, which leads us to a critical reassessment of Inglehart’s (1981) thesis of a *post-materialist* environmentalism, in search for the *material* basis of environmental struggles.

1.1.2 Institutional Failures in Environmental Policy-Making

Socio-ecological conflicts raise pressing challenges to the conventional functioning of political institutions. According to Kousis

“in a dynamic capitalist society the state performs two main functions: *accumulation*, by ensuring the conditions for profitable capital accumulation and economic growth; and *legitimation*, by maintaining social harmony”. (Kousis 1997:242)

Since socio-ecological conflicts relates to the asymmetrical impacts on different individuals and groups in society resulting from environmental degradation – which in turn derive from processes of material reproduction of society – they tend to affect both state functions.

The complexity of these sustainability challenges has led policy makers to seek guidance in the technical expertise of scientists. In this conventional view, environmental policy-making is seen as a linear process: an issue is identified, it undergoes investigation by the scientific community, and policy makers can base their decisions on the new knowledge produced (Jäger 1998:144). However, a growing body of literature is advancing concerns over the ability of conventional technocratic policy-making to find solutions to issues that often take the form of “wicked” problems (see for example Smith 2003 and Fischer 2000). Typically, scientists and decision-makers have been dealing with “tame problems”, which can be clearly defined and treated separately from one another, and which have a solution that can be identified and assessed in a rather straightforward manner (Rittel and Webber 1973:160). Socio-ecological conflicts are of a different nature: the very formulation and definition of the problems is questionable and they often represent symptoms of other, higher-level, problems, so that they “lend themselves to no unambiguous or conclusive formulations and thus have no clear-cut criteria by which their resolution can be judged” (Fischer 2000:128).

A narrow, conventional, approach to environmental problem-solving, as described, is likely to address only one aspect of a problem which instead presents multiple and interrelated dimensions, and might eventually create new conflicts between economic interests and the goals of environmental protection and social integration. A democratization of environmental politics is, in light of this recognition, absolutely necessary, as will be discussed below.

1.1.3 Democratizing Environmental Politics: Deliberative Democracy and “Problematic Participants”

Questions over the definition of what exactly democratization is and how its mechanisms work, are destined, to some extent, to remain continuously open to revision. As John Dryzek, among others,

has pointed out:

"democracy, like social movement, is an example (perhaps the very best example) of what Gallie(1968) long ago called an "essentially contested concept". It is essentially contested because dispute about the precise meaning of democracy is intrinsic in the idea of democracy; it is hard to imagine a democratic society without such dispute." (2003:16)

However the apparent "hegemony" of participatory approaches in many fields of current social research seems to suggest that there is a consensus on the fact that democratization implies more participation by the social agents that constitute civil society. Indeed Cohen and Arato, by means of their extensive analysis of *Civil Society and Political Theory*, argue that

"(t)he concept of civil society indicates a terrain in the West that is endangered by the logic of the administrative and economic mechanisms but is also the primary locus for the potential expansion of democracy under "really existing" liberal democratic society" (1994:viii)

Thus, although might be impossible to exactly measure how democratic a certain society is, the vitality of civil society can be used as an indicator of the "democratization of the polity". (Dryzek et al. 2003:83)

One proposal in particular dominates the current debate on the shortcomings of liberal-democratic institutions and the promises of citizen participation in environmental decision-making: deliberative democracy³ (Baber and Bartlett 2007:6). In a deliberative setting, decision-making relies not on the aggregation of interests by means, for example, of voting, but rather on the reasoned and open debate of the participants aimed, ideally, at reaching a consensus. While aggregative theories assume that the preferences over the issue at stake are fixed, and is enough to combine them to arrive at a collective outcome, the model of deliberative democracy requires participants to express the justificatory reasons for their point of views, thus creating a mechanism by which preferences, potentially, can be formed, modified, and tested against each other. (Gutmann and Thompson 2004:14-21)

Deliberative democracy has been proposed as one of the possible pathways to a more sustainable society, because it might potentially contribute to solve socio-ecological conflicts. In particular, at a local level, participatory democracy has been proposed as a more effective and equitable approach for dealing with wicked problems connected to cases of so-called "NIMBY syndrome" (Fischer 2000:124-142), in which citizens oppose the siting in their community of infrastructures that are perceived as having strong environmental and social impacts. This argument is justified for at least three different reasons:

(A) Because of the high complexity, radical uncertainty and wide scope of stakes involved, the plurality of perspectives included in deliberative procedures tends to minimize the risk attached to an overly-narrow employment of expert knowledge (*ibid.*).

(B) It is clear that a truly democratic deliberation cannot be an elitist process carried on behind closed doors, it is required to be public, inclusive and open to scrutiny; the openness and publicity of deliberative processes, then, increase the chances that participants put aside self-interests and frame their arguments in terms of public good, consistently with the non-excludable and indivisible nature of environmental goods and bads (Munton 2003).

(C) The reasoned discussion of alternatives and consideration of different points of view may create the opportunity for lay citizens to be not only recipients, but also producers of new knowledge, thus enhancing social learning in the environmental policy domain (Meadowcroft 2004:8).

Also because of these aspects, "although there can be no guarantee of green political outcomes,

³ The nature of relation between participation and deliberation is to some extent contested. Contributing to this debate is beyond the scope of this thesis, however a brief investigation on the link between the two concepts is offered in Appendix A.

deliberative democracy offers the condition under which the plurality of environmental values can be articulated and considered” (Smith 2003:53), holding in itself the potential to solve those conflicts that constitute the core of environmental politics.

However, the call for citizen participation in environmental politics is not unproblematic. Indeed, as many have noticed, theorists of participatory approaches tend to overlook the role of structural, i.e. cultural, political and economic, factors that ultimately influence the opportunity of a fair and equal access to decision making by relatively powerless groups and individuals (Tewdwr-Jones and Allmendinger 1998). The risk with participatory approaches is that, when they fail to pursue, *ex ante*, a critical analysis of the structure of power relations and of the real conditions under which citizens enter into a dialogue with political institutions and powerful economic interests, they might reproduce, *ex post*, the status quo that has lead to the conflict in the first place, thus “narrow(ing) the boundaries of possible change” (Ventriss and Kuentzel 2005:522). Similarly, the academic debate on deliberative democracy is often criticized for its excessive abstractness. (Smith 2003:53) Deliberative theorists have been engaging in the task of designing new institutional settings in which inclusive and unconstrained dialogue can be effectively articulated, proposing instruments such as citizen’s juries, consensus conferences and deliberative opinion polls. There have been several attempts at putting those instruments in practice, but it seems that deliberative democracy is being relegated more and more often to those artificial and controlled environments, that have little to share with the ordinary conditions of political activity in the real world. Those practices of deliberative democracy reflect a certain *naïveté* of the theory, for, as it has been noted, “(t)he problem with deliberative democracy is that it assumes the existence of an ideal public realm free of power relations, rather than focusing on the ‘non-ideal’ conditions of everyday decision-making”. (Geczi 2007:382) In this way, much of its potential to offer means to criticize and radically reform existent political institutions toward more citizen participation is lost.

In an effort to move beyond mere ideological exhortations for citizen involvement, and trying to avoid the interesting, perhaps, but rather sterile exercise of institutional design, this dissertation seeks to bring the question of public participation and deliberation down to the level of real-world politics. In order to do so I will focus my discussion on one of the most important, yet controversial, collective actors in the “democratization of everyday politics”, to use Melucci’s expression: social movements. The debate over the democratic potential of social movements comprises a wide variety of perspectives, ranging from the recognition that social movements act as “seedbeds of democracy” (Sørensen 2007:75) to the conception of social movements as “problematic participants” in deliberative democratic settings (Baber and Bartlett 2007) - because of their reliance on disruptive political tactics. As Dalton et al. state:

“the desire for influence places environmental groups in the dilemma of other challenging movements: to protest the political status quo or to work within conventional channels to implement new policies” (2003:2)

This is exactly the dilemma that this dissertation seeks to explore further.

1.2 Case Study Background

1.2.1 Dynamics of Environmental Protest in Italy

In recent years, Italy has witnessed the emergence of a wave of local mobilizations against large infrastructure projects potentially conducive to negative impacts on local communities and ecosystems, like high-speed trains, military bases, bridges, waste dumps and incinerators⁴.

For many aspects, both quantitative – i.e. the large number of protest events - and qualitative – i.e. the high degree of conflictuality expressed during the struggles – this new wave of protest

⁴ The cases I am referring to are, respectively, in Susa Valley, Vicenza, Messina and Campania

represents a remarkable development for the entire Italian environmental movement, which over the 1990's had become overwhelmingly institutionalized (Diani and Forno 2007:164) following a similar pattern of many environmental movements in other European countries (Rootes 2007). The early optimism of the 1980s, when the rising Italian environmental movement was able to reach a high capacity of mobilization, achieving important victories – such as in the anti-nuclear campaign – had faded by the 1990s. The goal of influencing environmental policy-making had lead to visible institutional outcomes, but the attempt of consolidating a “new ecological cleavage” in Italian society had failed (Diani and Forno 2007:135).

The emerging wave of grassroots mobilizations over local socio-ecological conflicts makes thus a timely appearance in the Italian political arena, although mass media and proponents of contested infrastructural projects tend to recur to the concept of NIMBY as frame for interpretation. Current research prefers to refer to analyze those episodes in terms in terms of Locally Unwanted Land Use” (LULU), also to avoid the negative implication of NIMBY as egoistic and privatistic protest of middle-class communities, “associated with conservative attitudes and motivated primarily by selfish resistance to social change” (Della Porta and Piazza 2007:866).

This is arguably more than just a shift in terminology, in fact it reflects an actual shift in the social composition of many environmental struggles and their objectives. Since 2006 many Italian local movements rising from land-use conflicts act together as a network organized around the National Pact of Solidarity and Mutual Aid (Patto Nazionale di Solidarietà e Mutuo Soccorso). The range of issues touched upon by the 120 grassroots groups involved is obviously very wide. However, there seems to be one unifying factor: “the common frame which emerges is the strong link between non commercializable *common goods* (the territory and its resources) and *participatory democracy*”. (Caruso and Fedi 2008:19. Author’s translation).

1.2.2 *The Case of TAV in Susa Valley*

Among the several episodes of protest, one of the most long-lasting and nationally relevant cases has been selected as the object of a qualitative analysis carried out in this dissertation: the resistance in Susa Valley (Piedmont Region) against the project of the high-speed rail Lyon-Turin⁵.

Interactions between public (national government) or private (the railway companies and different construction firms) proponents of the project and the No TAV movement have been highly contentious. The activists, besides engaging in more conventional activities - such as an extensive production of counter-knowledge on the environmental, economic and even technical aspects of the TAV - have often relied on non-conventional forms of collective direct action, such as street-demonstrations, road-blockades, the interruption and occupation of institutional meetings, occupation of working sites, and for this reason, in several occasions, they have embarked in physical confrontation with the police. Therefore the movement's organizations have usually been portrayed by the mass media and national politicians as “extremist”, “subversive” and “violent” groups⁶ (Della Porta and Piazza, 2008).

The main question I want to explore in this thesis arises from my reflections on the specific case of TAV in Susa Valley, but the answer might be extended, more generally, to other grassroots movements for environmental justice. Have their contentious actions been promoting social and political change towards a more democratic, and therefore more sustainable, society? As argued in this thesis, it is made clear the answer is positive.

⁵ The denomination the movement has adopted for itself, and which I will use in the rest of this dissertation is “No TAV”, which stands for “No Treno ad Alta Velocità” i.e. “No High-Speed Train”

⁶ The No TAV citizen's committees are even mentioned by the US Department of State in the “Country Reports on Terrorism 2005” as “extremist groups [which] caused considerable disruption and also threatened violence.” (2006:107)

1.3 Theoretical Foundations: Why Habermas?

It would have been certainly easier to defend my claim by means of a theoretical framework which takes the notion of social conflict at its very core and builds on it a defense of direct and confrontational actions.⁷ Instead, I chose to look at the question of socio-ecological conflicts in Italy through the lenses of a theoretical framework which revolves around the idea of unconstrained consensus, i.e. Jürgen Habermas's social theory.

This choice is justified by the relevance of Habermas's theoretical production. Habermas's extensive work, produced over his 50 years long career, is able to touch upon most of the above-mentioned elements: his theory fits within the ideals of participatory democracy and, most importantly, it has provided, in parallel with the work of John Rawls, the fundamental theoretical grounds for most scholars and practitioners of deliberative democracy (Bohman 1998). Moreover, as has been convincingly argued in a previous study carried out at LUMES by Mike Wironen, a Habermasian theoretical framework, centered on his theory of communicative action, can be fruitfully applied to sustainable development issues, because it has the ability to "reclaim the liberational promise of modernity, while correcting for its dominating and oppressive tendencies, without yielding to the aporias of postmodernism". (Wironen 2007:35) Finally, one must not forget that, within his Theory of Communicative Action, Habermas develops also a theory of social conflict (Van den Berg and Janoski 2005:81-82), in order to account for the rise of New Social Movements, among which the environmental movement.

I intentionally take Habermas's theory as the starting point for my analysis because I seek to provide *non-ideological* foundations for environmental direct action. The analysis of the movement on which this study is focusing are used to show that, even within the logic of a Habermasian understanding of the process of Sustainable Development, environmental justice movements are justified, under certain social and political conditions, in their recourse to contentious extra-institutional tactics.

1.4 Aims of the Thesis

1.4.1 Practical Dimensions

The claim of this thesis is clearly counter-intuitive, and might even sound provocative to many students and scholars of sustainability science, especially considering that a large part of the current literature on environmental politics and land-use planning, by following the so called "argumentative turn" in the field, focuses on cooperation and consensus building as key strategies for a good governance of socio-ecological conflicts. It is in a similar view, for example, that public-private partnerships have been recently proposed, by environmental activists like Shellenberger and Nordhaus (2004), as main tools to deliver sustainability; or that we find the justification for the "alignment of traditionally radical non-governmental organisations (NGOs) like Friends of the Earth and Greenpeace with regulatory initiatives and commercial partnerships consistent with ecological modernisation" (Bluhdorn and Welsh 2007:188).

Therefore, one of my goals, which relates to the level of *political praxis*, is to extract a lesson which might be useful for environmental activists, by contributing to renew the internal debate over legitimacy and effectiveness of different tactical choices.

1.4.2 Theoretical Dimensions

A further aim of this thesis emerges from the above choice of a Habermasian framework. This aim relates to a second analytical dimension of the thesis, i.e. the level of *social theory*. My goal here is to attempt a critique and reconstruction of Habermas's theory of deliberative democracy, in order to

⁷ I am thinking, for example, of eco-anarchist positions such as Murray Bookchin's "social ecology".

explore to what extent, and on which basis, an Habermasian approach can be fruitfully applied to the study of socio-ecological conflicts.

The preliminary critique is constructed around the goal of highlighting some inconsistencies between early and late work of Habermas, whose theoretical production is characterized, nevertheless, by undeniable continuities. Nancy Fraser, commenting on *The Structural Transformation of the Public Sphere* (STPS), claimed that “those of us who remain committed to theorizing the limits of democracy in late-capitalist societies will find in the work of Jürgen Habermas an indispensable resource” (Fraser 1992:109). After a decade, and most importantly after the publication of Habermas’s *Between Facts and Norms* (BFN), Perry Anderson (2005:127) punctually noted that Habermas’s theory of deliberative democracy, centered as it is on the conception of law as possessing inherently both facticity and validity, essentially fails in achieving the goals that he had set for it, i.e. to

“provide a critical standard against which actual practises – the opaque and perplexing reality of the constitutional state could be evaluated” (Habermas 1996:5)

If we follow Habermas in this apologetic drift, the role of a radical environmental movement and an oppositional public sphere as agents of democratization might be ruled out, and eventually we will be missing the basis for a critique of the real “politics of unsustainability” which is nowadays more and more necessary.

My claim is that, in the light of the logic of his earlier work, and the experience of real-existing liberal democracies, my “left”⁸ continuation of Habermas’s theory of deliberative democracy is more consistent than his own recent work and retains those very elements of his theoretical framework that makes a Habermasian approach to socio-ecological conflicts useful for both scholars and activists.

1.5 Research Questions

In order to narrow down the scope of my case study research and theoretical critique, and in light of the above declaration of intents, the following chapters are designed to address these research questions:

- I. What are the political preconditions implicit in Habermas’s model of deliberative democracy?
 - a. To what extent are those preconditions met by the Italian political system?
 - b. To what extent are those preconditions met by the decision-making process over the TAV project?
- II. What have been the outcomes of No TAV mobilizations on public participation and deliberation?
- III. How can we appreciate the deliberative potential of environmental direct action within an Habermasian framework? Or, in other words: what conceptual basis does Habermas provide us for grounding a theoretical justification of environmental direct action?

⁸ The use of the term left here refers to the fact that “Young Hegelians”, who have pursued an immanent critique of Hegel’s theory, are described as “Left Hegelians”.

2. RESEARCH METHODOLOGY AND METHODS

Now why should the cinema follow the forms of theater and painting rather than the methodology of language, which allows wholly new concepts of ideas to arise from the combination of two concrete denotations of two concrete objects?

Sergei Eisenstein

A Dialectic Approach to Film Form (1929)

2.1 Research Design and Structure of the Thesis

As it is made clear by the brief description in *paragraph 1.2.2*, the TAV case presents significant anomalies when compared to what we would expect in light of a Habermasian framework. This difficulty, still, does not lead to a complete rejection of Habermas's theory, nor does it bring me to base my critique on alternative paradigmatic assumptions since, as Kuhn (1970) has notoriously pointed out, competing paradigms are fundamentally incommensurable to each other. Rather, my analysis is developed in the form of an immanent, or internal, critique (see *par. 2.2*), with the aim of contribute to reconstructing Habermas's theory of deliberative democracy in order to adapt it more fruitfully to the study of socio-ecological conflicts.

Because of the anomalous nature of the case study, my research design resembles what Burawoy has defined as extended case method, in that

"we begin from our favorite theory but seek not confirmations but refutations that inspire us to deepen that theory. Instead of discovering grounded theory we elaborate existing theory. We do not worry about the uniqueness of our case since we are not as interested in its 'representativeness' as its contribution to 'reconstructing' theory" (Burawoy 1998:16)

Differently from Burawoy, my case-study analysis is not based on ethnographic research, but, in a similar way, can be conceived as an attempt of applying reflexive science, as opposite to a positivist approach. I adopt here Burawoy's following definition:

"reflexive science starts out from dialogue, virtual or real, between observer and participants, embeds such dialogue within a second dialogue between local processes and extralocal forces that in turn can only be comprehended through a third, expanding dialogue of theory with itself. Objectivity is not measured by procedures that assure an accurate mapping of the world but by the growth of knowledge; that is, the imaginative and parsimonious reconstruction of theory to accommodate anomalies" (Burawoy 1998:5)

This dissertation is structured around those three defining elements. (A) The analysis presented in *par. 4.2* represents the outcome of my dialogue, both virtual and real, with actors in the No TAV protest. This, in turn, is preceded by (B) a discussion focused on the national political context and its implication for social movements (*par. 4.1*). (C) Through the framework presented in *Ch. 3* I shall set the foundations for the overarching process of theoretical reconstruction, which is pursued throughout the thesis and more fully in *Ch. 5*.

2.2 Critical Theory: Methodological Considerations

In Habermas's words reconstructing a theory means taking it "apart and putting it back together again in a new form in order to attain more fully the goal it has set for itself" (Habermas 1979:125). Methodological consistency is an important concern of this thesis, because necessary when reconstructing a theory.

Therefore, the epistemological perspectives I adopt in this thesis are informed by Habermas's critical theory (McCarthy 1984).

"Critical theory is characterized by an interpretive approach combined with a pronounced interest in critically disputing actual social realities. [...] Its guiding principle is an emancipatory interest in knowledge. The aim of social science is to serve the emancipatory knowledge, but without providing any given formulaic solution." (Alvesson and Sköldberg 2000:110).

In this sense the processes and goals of the knowledge-production followed by critical theorists, and by this thesis, have a fundamentally political nature (ibid. 131). According to Habermas the idea of a pure, objective theory is an "ontological illusion", knowledge is always connected to different human interests (1978:301-317). In order to develop my argument that, if Habermas's theory has to serve emancipatory interests - i.e. "the human interest in autonomy and responsibility" (ibid.) – it must be critically reconstructed, I will pursue an "immanent critique". Immanent critique is the core of critical theory: "is a means of detecting the societal contradictions which offer the most determinate possibilities for emancipatory social change" (Antonio 1981:230)

Thus it is not my aim to prescribe an ideal model of interpretation of Habermas's theory, but rather to seek an adaptation in the face of real-existing democracies:

"The critique of domination must be translated into historically concrete and regionally specific immanent critiques of bureaucratic domination. These detailed analyses should investigate the possibilities for democratization according to the particular needs and concrete conditions of nations and regions at different levels of development and with varying histories, social traditions and material cultures." (ibid: 341-342)

2.3 Methods for Data Collection

Habermas's works, and the extensive body of secondary literature developed around his writings, constitute the basis for setting my theoretical framework attempting a critical reconstruction.

For what concerns the empirical dimensions of this thesis, the case-study analysis, the arguments that I defend are supported by two different sources. Firstly, this thesis is largely based on secondary sources, mainly sociological and politological studies that have investigated the No TAV movement. Secondly, for firsthand information on the movement, I have relied on documents produced by the activists (one book, and several articles and flyers published on the different movement organizations' websites).

Furthermore, I had informal conversations, in person, with two activists, one of which is a member of the No TAV Committee in Turin, and the other a member of both the Askatasuna social center and the Committee for the Popular Struggle Against the TAV in Bussolengo.⁹ The information I have collected through those conversations has been useful to contextualize and confirm the data gathered through secondary sources, but will have a relatively limited use in the construction of my argument.

⁹ I have had also meetings with two activists in the protest over the mega-landfill project in Chiaiano, Naples, besides taking part in a general assembly at the local "permanent garrison". Although that material is not part of my analysis, it has raised many interesting points of reflection during the research process, helping to assess the implications of the TAV case over the national context.

3. THEORETICAL FRAMEWORK

A conformist political theory is no theory.
Franz Neumann¹⁰

3.1 Civil Society: Citizen Participation in the Public Sphere

The philosophical justifications underlying the project of participatory democracy are often associated with Habermas's critical theory. In this chapter I will briefly present the theoretical grounds that Habermas's work offer to proponents of participatory processes.

STPS written in 1962, is the most important work in Habermas's "early period". In this work he analyzes the emergence, institutionalization and collapse, in Western-Europe, of the bourgeois public sphere, where "private people come together as a public" (Habermas 1989:76). Habermas offers an historical account of how an informal space for a rational-critical, open debate is created during the 18th century in England, France and then Germany. The intimate sphere of the bourgeois family represents the primary locus of a form of communication based on open-ended reasoning, as opposed to the arbitrary power of the absolutist state. This principle eventually extends, through the establishment of a literary public (coffee houses, reading societies, newspapers), to the political dimension, marking the birth of a civil society clearly distinct from the state, a development which represents the distinctive feature of the 19th century liberal constitutional order. In liberal constitutional states, then, a "critical publicity" emerges, rooted in the active participation of private citizens in the political debate, as opposed to the "representative publicity" existent in absolutist state, where the broader body of the citizens was only summoned to take part, as audience, to public events displaying the inherent power of the ruling elites. (see Calhoun 1995:193-230)

This historical reconstruction is not motivated by a merely "archaeological" interest. Rather it represents the basis for an uncompassionate critique, in the true spirit of the early Frankfurt School, of mass society associated with late 20th century welfare states. In a dialectical movement, those same institutions within which a political public sphere free from domination could emerge, and which were democratized by its continuous activity of control, lead to its disintegration. With the creation of mass culture in welfare capitalist states the media of communication change their nature, and the structure of the public sphere itself is transformed.

The early capitalist mode of production used to rely on free markets that historically had developed alongside those spaces, autonomous from the state, created by the flourishing bourgeois public sphere. In the advanced capitalist societies, instead, because of the trend towards concentration of capitals, capitalism has gradually assumed strong oligopolistic or even monopolistic connotations, being increasingly shaped by few powerful private enterprises. Also the welfare state becomes a powerful actor in the economy, by increasingly relying on interventionist policies. Compared to the earlier liberal constitutional state, the welfare state has substantially enlarged the scope of its actions and developed a pervasive administrative apparatus, thus exerting a greater direct influence on the affairs of private citizens.

These political and economic transformations lead to a decline of the public sphere as locus for the formation of public opinion through free and critical debate, and eventually change the possibilities for citizens to participate in the democratic life of the state and influence the institutional decision making processes. Indeed,

"as the public sphere declined, citizens became consumers, dedicating themselves more to passive consumption and private concerns than to issues of the common good and democratic participation." (Kellner, 2000:264)

¹⁰ As quoted in Scheuerman (1999:153)

Habermas identifies a process of "re-feudalization of the public sphere" (Habermas 1989:158) occurring in advanced democratic and capitalist states. In a fashion similar to feudal times, we witness to a return to the interpenetration of state and civil society and to a revival, in a more modern version, of "representative publicity". This redefinition of the boundaries between private and public, state and civil society, occurs, according to Calhoun (1992:21-22), through two interrelated mechanisms:

(A) The class divisions and social inequalities, which were 'bracketed' in those autonomous spaces of rational-critical debate which originally constituted the bourgeois public sphere, become instead, in the welfare state, the main object of political discussion and basis for action.

Thus (B) the definition of what is the societal good, i.e. the notion of "general interest", is not understood anymore in terms of reasoned consensus, but rather in terms of compromise among sectorial interests. The functioning of the political public sphere is institutionalized through the growth of societal organizations, such as trade unions and mass political parties, which, created to aggregate private interests, assume public functions, and orient their actions to the state rather than in opposition to it.

Even if this transformation in the structure of the public sphere might be read, on one side, as a process of democratization, Habermas claims that it also occurs, on the other side, at the expenses of genuine participation by the citizens. Public opinion, in contemporary consumer societies, does not arise from free discussion and rational-critical debate, but is instead manufactured and manipulated by the bureaucratic apparatus and powerful corporations. The active role of citizens as protagonist in the process of will and opinion formation is increasingly replaced by the passive figure of consumers who merely watch the spectacle of politics. Therefore, in advanced capitalist societies

"the process of the politically relevant exercise and equilibration of power now takes place directly between the private bureaucracies, special-interest associations, parties, and public administration. The public as such is included only sporadically in this circuit of power, and even then it is brought in only to contribute its acclamation." (Habermas 1989:176)

Thus a public of citizens that had disintegrated as a public was reduced by publicist means to such a position that it could be claimed for the legitimization of political compromises without participating in effective decisions or being in the least capable of such participation.
(Habermas 1989:221)

This picture of the transformation of the public sphere resembles the account of modern society given by Horkheimer and Adorno in "Dialectic of the Enlightenment": as the success of the project of the Enlightenment shows to bring about its very negation, in the form of fascist states, so the expansion and institutionalization of the bourgeois public sphere collapse in its opposite. But Habermas does not advocate a nostalgic return to the past, instead he concludes STPS by calling for a democratization of governmental institutions which might be achieved only by means of a revitalization of an *autonomous public sphere*. However, as has been noted, this is "merely a moral exhortation" (Kellner 2000:270), because neither the social processes that could foster this autonomy and vitality of the public sphere, nor the social actors that should engage in this project, are clearly identified.

To some extent, Habermas's early work might thus be accused of leading to the same cul-de-sac as the rest of the analysis produced by the Frankfurt School: it is focused on an extensive negative critique of contemporary societies, but, by generally "speaking in negations", it lacks the basis for a positive moment of analysis, in which a possible pathway towards a more democratic society is proposed.

Therefore, as Kellner says:

"to provide new philosophical bases for critical theory, and to contribute a new force for democratization, Habermas turned to the sphere of language and communication to find norms for critique and an anthropological basis to promote his calls for democratization." (ibid:270)

This paradigmatic shift finds its realization, twenty years after *STPS*, in Habermas's *Theory of Communicative Action (TCA)*, the most important work in Habermas's "middle period".

3.2 Social Conflict and the New Social Movements

3.2.1 Communicative Rationality and Instrumental Rationality: Lifeworld vs. System

The two volumes of *TCA* represent Habermas's most articulated and innovative contribution to social theory. In need of a guidance to explore such a complex and almost all-encompassing social theory, I will structure the presentation of my argument by following Thomas Mc Carthy's synthetical statement:

"the Theory of Communicative Action has three interrelated concerns:

- (1) to develop a concept of rationality that is no longer tied to, and limited by, the subjectivistic and individualistic premises of modern philosophy and social theory;
- (2) to construct a two-level concept of society that integrates the lifeworld and systems paradigms; and finally
- (3) to sketch out, against this background, a critical theory of modernity which analyzes and accounts for its pathologies in a way that suggest a redirection rather than an abandonment of the project of the Enlightenment." (Mc Carthy 1984: vi)

(1) Habermas's attempt to move beyond the *philosophy of subject* of the early Frankfurt School by providing instead an *intersubjective* foundation to critical social theory, constitutes, as mentioned above, a shift towards the paradigm of language, not language as semantic system, but language as in-use communication among subjects. "The model of the subject that emerges is of an actor oriented to mutual understanding and engaged in a cooperative process" (Always 1995:109).

Horkheimer and Adorno's view, strongly influenced by Max Weber's diagnosis of the Enlightenment, was clear: the rationalization of society, the defining process of Modernity, had been pursued through an extension in the range of activity of bureaucratic apparatus and impersonal economic forces, leading to the dominion of "purposive" or "instrumental" rationality, i.e. that form of reason oriented to the rational pursuit of specific and conflicting interests, rather than to social integration and emancipation (Callinicos 2007). Therefore, in modern societies,

"the gain in control is paid for with a loss of meaning. And the control that we gain is itself value neutral – as an instrumental potential that can be harnessed from any one of an unlimited number of value perspectives. This subjectivization of ultimate ends means that the unity of the world has fallen to pieces" (Mc Carthy 1984: xvii).

Weber's thesis does not lead Habermas to argue for a rejection of Modernity in itself, instead it provides the basis for a critical, yet positive, re-evaluation of the concept of reason.

In a discussion that, under many aspects, follows and extend his previous thoughts on the emancipatory potential of the Public Sphere, Habermas argues that:

"individual intentions and interests, desires and feelings are not essentially private but tied to language and culture and thus inherently susceptible of interpretation, discussion and change".
(McCarthy 1984:xx)

As McCarthy implies in this passage, there is, according to Habermas, a different component in the process of societal integration: what keeps together the social system and permits its self-reproduction is communication among its participants aimed at consensus, rather than actions aimed at success:

"If we assume that the human species maintain itself through the socially coordinated activities of its members and that the coordination is established through communication – and in certain spheres of life, through communication aimed at reaching agreement – then the reproduction of the species also requires satisfying the conditions of a rationality inherent in communicative action" (Habermas 1984:397).

(2) This analytic distinction between "instrumental rationality" and "communicative rationality" allows Habermas to construct a two-level theory of society, centered around the concepts of *system* and *lifeworld*. This core distinction applies at both methodological and empirical level and, although, the discussion relative to the methodological distinction represents a major part of Habermas's analysis, I will not explore this issue in further details, because, for the purpose of this thesis, the empirical distinction between system and lifeworld is what matter the most¹¹.

At the empirical level the lifeworld represents the socio-cultural background which is common to all members of a certain society, it comprises both the private sphere of family and the public sphere of civil society (see *par. 3.1*) i.e. those "domains of action in which consensual modes of action coordination predominate" (Bohman and Rehg 2009). Thus, the lifeworld is the locus of communicative rationality.

The lifeworld necessarily undergoes, throughout the history of modern societal development, a process of rationalization and differentiation, to realize its imperative of social integration and reproduction (Habermas 1987: chap VI). Through a process of "super-differentiation" however, new and more complex forms social organizations, namely the political institutions of the State and economic institutions of market economy, grow out of the lifeworld, becoming increasingly independent and forming the *system* (*ibid.*). The goal of political and economical system is to guarantee "systemic integration", i.e. the material reproduction of society.

Differently from the lifeworld, the system coordinates social actions via the delinguified media of money and power. When "processes of monetarization and bureaucratization penetrate the core domains of cultural reproduction, social integration, and socialization" (*ibid:* 355), the instrumental imperatives pursued by the institutions of the system risk to undermine the communicative basis of solidarity in society: the system colonizes the lifeworld. (*ibid.*)

(3) But, Habermas argues, all is not lost: the emancipatory promises of the Enlightenment can be realized in modern societies if the primacy of communicative rationality over instrumental rationality is restored. This point is developed in details in the following *par. 3.2.2*, through a presentation and critique of an earlier research conducted by former LUMES student, Mike Wironen (2007): "Sustainable Development and Modernity: Resolving Tensions through Communicative Sustainability".

3.2.2 Problematizing Communicative Sustainability

Wironen's study aimed at showing the relevance of Jürgen Habermas' philosophy for a critical approach to sustainable development: it offered a comprehensive framework as the basis for a correct understanding of the contested nature of the concept of sustainable development while at the same time retaining in itself the potential for solving those theoretical tensions inherent in what has been properly described as "a contradiction in terms" (O'Riordan 1985). Through a comparison with "uncritically modern" approaches to sustainable development (i.e. ecological modernization) and the "anti- modern" (i.e. postmodern) critique of the concept, Wironen argues that there is an internal consistency between Jürgen Habermas' critical theory of modernity (modernity as "unfinished project"), and a radical reconsideration of the foundations of the project of sustainable

¹¹ It is enough to know that, at a methodological level, system and lifeworld relate to two different points of view we can take when looking at society. We can conceptualize society from the perspective of the lifeworld (internalist approach), as nothing more than the aggregation of the action orientations of its members. Or, from the point of view of the system (externalist approach) we can analyze society as a structure that coordinates action consequences beyond the will of the participants.

development. To put it simply in an analogy, the same way the historical realization of the spirit of the Enlightenment in modern society does not live up to the original promises of progress and emancipation for humanity, so the current state of the world, notwithstanding the rise of the sustainability discourse to a mainstream dimension, seems to negates the promises of sustainable development to bring about economic and societal welfare while at the same time assuring an efficient use and fair distribution of natural resources across time and space.

From this point of view then, the unsustainability of contemporary society can be seen as a further specification of those “global social pathologies that appeared in wake of modernization” (Habermas 1987:293) - like social disintegration, loss of meaning, reification - which Habermas analyzes and wants to solve. If the diagnosis leads to identify a common cause for both problems, i.e. the dominance of instrumental rationality, then we can also hope to find a common cure: the reaffirmation of communicative rationality.

This is the core of Wironen's call for “communicative sustainability”. His argument, however, well articulated on a theoretical level, shows some limitations when is shifted to the field of political praxis. Wironen's discussion of the practical implications of a Habermasian approach to sustainable development seems to be inspired, at its foundations, by a normative outlook that hardly retains any insight of empirical nature¹². Moreover, I argue, it does not do full justice to the practical intent of Habermas's critical theory, a theory that, even if criticized for its high level of abstraction, can be applied to the analysis of different empirical problems (Ruane and Todd, 1988) and which, what is more important for the purpose of this thesis, offers counterfactual foundations from which evaluate actually existing democratic institutions (as shown by Blaug, 1999). Another clear example of his normative stance is in the following sentence:

“From a Habermasian perspective, for sustainable development to occur the public sphere (lifeworld) *must* be radicalized so as to decolonize itself (awake the ‘sleeping gallery’) from the dominance of the system media (money, power), which threaten its independence and vitality.”
(Wironen 2007:37, emphasis added)

This statement, on which I completely agree, retains a certain degree of wishful thinking that I claim cannot be overcome unless we integrate in an Habermasian analysis of socio-ecological conflicts the main agents of a radicalization of the public sphere, i.e. social movements, which, by his own admission (*ibid*:37), are not included in Wironen's analysis. Social movements thus constitute the focus of the next paragraph.

3.2.3 Resisting “Colonization”: New Social Movements

Up to this point, I have been using the term “social movement” assuming that its meaning was unequivocal, but since this seems not to be the case, more clarity in delimiting the object of this thesis is needed. I adopt here a widely quoted definition of social movement provided by Della Porta and Diani, and thus I will consider social movements as “(1) informal networks, based (2) on shared beliefs and solidarity, which mobilize about (3) conflictual issues, through (4) the frequent use of various forms of protest” (*ibid*:16). According to the two authors, this definition allows to take into account both symbolic aspects of social movement agency, as suggested by New Social Movement (NSM) theory, and its political mechanisms, as highlighted by the alternative approaches of Resource-Mobilization and Political Opportunity Structures.¹³ Habermas's analysis of social movements, exposed in a widely quoted article from 1981, is usually associated with the NSM approach. However, according to Cohen and Arato the wide scope of Habermas's framework makes

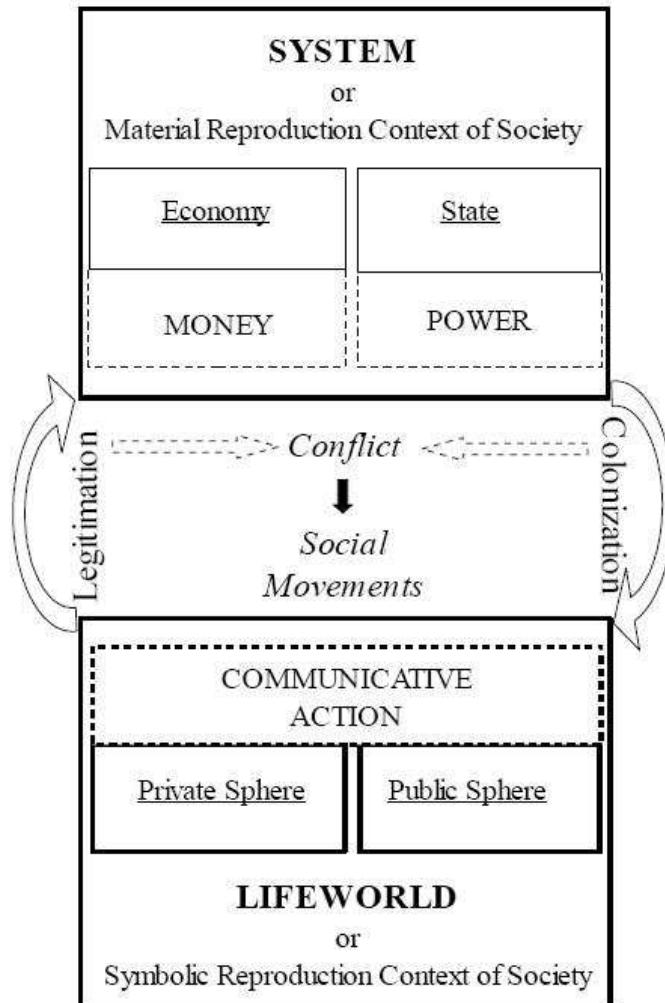
¹² Wironen's normative outlook is best exemplified by his discussion of deliberative democracy, in which he is more engaged in showing how communicative sustainability *ought* to be achieved, rather than analyzing to what extent a true deliberation *is* actively pursued in real-world politics.

¹³ A useful, but not strictly necessary, overview of the two main approaches in Social Movement Research, and of how Habermas's theory relates to them, is provided in Appendix B.

possible to develop a “synthetic theoretical paradigm of social movements” (1995: 527), to some extent even beyond Habermas's own intentions.

According to Habermas the novelty of NSMs, like environmental, feminist, peace movements, consists in the fact that, differently from the traditional workers movement – which organized itself around the conflict between capital and labour – they arise from conflicts located “at the seam between system and lifeworld. [...] These conflicts can be understood as resistance to tendencies to colonize the life-world” (1981: 35-36). The conceptual model in Fig.1 shows where social conflict is located within the broader Habermasian conception of society.

Fig.1 Habermasian Conception of Social Conflict



Reference: Habermas 1984 and 1987

In the particular case of environmental movements:

“(w)hat sparks the protest, however, is the tangible destruction of the urban environment, the destruction of the countryside by bad residential planning, industrialization and pollution, health impairments due to side effects of civilization-destruction, pharmaceutical practices, and so forth. These are developments that visibly attack the *organic foundations of the life-world* and make one drastically conscious of criteria of *livability*” (ibid.:35).

NSM Social movements play an important role in Habermas's Theory of Communicative Action: resistance against colonization does not necessarily implies retreat, rather social movements' opposition to institutional politics has an emancipatory potential, when it is aimed at

"promoting the revitalization of buried possibilities for expression and communication. Resistance to reformist intervention also belongs here. Such intervention becomes its opposite because the means of its implementation run counter to the declared, social-integrative objectives " (ibid.:36)

The identification of social movements as agents of democratization represents a remarkable development compared to Habermas's previous works. However, his perspective on social movements remains rather vague for what concerns the specific process through which this democratic potential can be realized. His next major work, thus, represents the culmination of Habermas's attempt at re-shaping his Theory of Communicative Action in the form of a political theory.

3.3 Institutionalizing Communicative Action through Deliberation

According to Habermas's political theory, developed in one of his most recent works, *BFN*, deliberative procedures constitute the core element of a truly democratic policy-making process, one which connects "the informal discursive sources of democracy with the formal decision making institutions" (Habermas 1996:169). It is clear from this statement that Habermas conceives the democratic political system as a two-track model, "in which an *organized public* (consisting of legislative bodies and other formal political institutions) functions alongside an *unorganized public*, a broader civil society in which citizens rely on a panoply of devices (including political associations and the mass media) to take part in free-wheeling political debate and exchange." (Scheuerman 1999:156) Civil society, where citizens engage in free and unconstrained communication aimed at reaching consensus on universalizable principles, is, according to Habermas, the locus of "communicative power" (a term that in his late work replaces "communicative action"), whereas the state apparatus, whose goal is to pursue societal integration, even beyond the intentions and orientations of society's members, follows the logic of "administrative power". Deliberative democracy is, in Habermas's view, the mechanism through which a functional and direct relation between communicative power and administrative power can be realized. He constructs this argument by contrasting his own proposal of deliberative democracy with liberal and republican conceptions of the state, while at the same time seeking to integrate the insights provided by both approaches.

The difference between the liberal and republican view can be best understood by focusing on the respective conceptualization of the gap between the state apparatus and civil society, and, consequently, it becomes evident when one analyzes the alternative proposals on how this gap can be eliminated or at least bridged.

In the republican view, as exemplified by the political theory of Hannah Arendt, among others, the public sphere represents the original locus of democratic legitimacy, which the state, by means of its pervasive bureaucracy, seeks to expropriate. Thus, it is only in the "decentralized self governance" - in Arendt's terms - by a well informed and politically active community of citizens that the democratic process can and must be realized.

According to the liberal view, that Habermas traces back mainly to Locke (Habermas 1996:296n10), the normative content of the democratic process derives from the constitution. Ultimately centered on the defense of basic human rights, the rule of law acts as a mechanism of control of a potentially disruptive administrative power, and guarantees to the individuals the inalienable political and economic freedoms. However, when the state is conceived exclusively as a "guardian of an economic society" (ibid: 296) the social body of citizenry is reduced to an amorphous agglomerate of private persons and the "democratic process is effected exclusively in the form of compromises among interests". (ibid: 296)

Habermas's conception of deliberative (or discursive) democracy seeks to reach beyond the differences between the two views just described, and is aimed at finding a middle ground in which

a legitimate political system can sever its roots: “discourse theory invests the democratic process with normative connotations stronger than those found in the liberal model but weaker than those found in the republican model.” (*ibid*: 298) This argument is build on the postulate that *private autonomy* (which means individual liberties such as economic freedoms and freedom of speech) and *public autonomy* (which relates instead to political rights such as rights of participation and vote) are “co-original”, in that one form of autonomy cannot be analytically derived from the other, in the way liberals and republicans claim; they stand rather in a “relation of mutual presupposition” (*ibid*: 128). This assumption marks a clear shift in Habermas’s methodology, from the historical method employed in *STPS* to an unhistorical method, because, as many have pointed out, there is no empirical evidence of any legal system in modern countries in which private and public rights were ever co-original. As Anderson says:

“the notion of ‘co-originality’ belongs neither to political science nor jurisprudence, but to an anthropological family: the myth of origins”. (Anderson 2005:119)

Habermas seems to be aware of this problem (Habermas 1996:503-504) but this does not prevent him from taking, nevertheless, the notion of co-originality at the core of his argument. In fact he expands on this assumption to justify his claim that the rights, private and public, need to be interpreted intersubjectively. According to this analysis there is no original source of legitimacy other than the continuous collaborative process among citizens, based on free communication and aimed at self-legislation, at the same time this communicative freedom needs to be ensured by the existence of laws. There is therefore a circular relation between communicative power and administrative power which is realized through the medium of law. As Habermas puts it:

“informal public opinion-formation generates ‘influence’; influence is transformed into ‘communicative power’ through the channels of political elections; and communicative power is again transformed into ‘administrative power’ through legislation” (*ibid*:28).

It is in this regard that constitutional assemblies, supreme courts and in particular parliaments, representing the instruments through which critical rational debate is operationalized to achieve practical outcomes, can all be conceived as central elements of a deliberative-democratic political system.

However, it is undeniable that in advanced democratic societies, the political life cannot be reduced only to formal mechanisms of participation, e.g. party politics and voting, there are also important channel of involvement that act at a more informal level: within the broader public sphere, social movements are fundamental actors of political change. In the Habermasian model of democracy, social movements are located at the periphery of the political system, and act as “sensors” to identify new problematic situations and signaling them to the core, constituted by formal political institutions. Mass media represents the primary medium through which organized citizens can channel those signal and exert a certain degree of influence in the political process, aimed at identifying potential solutions to emerging issues. In Habermas’s words:

“Moving in from this outermost periphery, such issues force their way into newspapers and interested associations, clubs, professional organizations, academies and universities. They find forums, citizen initiatives, and other platforms before they catalyze the growth of social movements and new subcultures. The latter can in turn dramatize contributions, presenting them so effectively that the mass media take up the matter. Only through their controversial presentation in the media do such topics reach the larger public and subsequently gain a place on the ‘public agenda’. Sometimes the support of sensational actions, mass protests and the incessant campaigning is required before an issue can make its way via the surprising election of marginal candidates or radical parties, expanded platforms of ‘established’ parties, important court decisions and so on, into the core of the political system and there receive formal consideration.” (Habermas 1996:381)

What does the Habermasian conception of deliberative democracy developed in *BFN* entails for social movements? In the light of the brief description above, I argue that the major role of the

movements is fostering, for example by means of informational campaigns and by organizing public debates, the process of opinion- and will-formation in the informal civil society. In this sense protest can be an effective instrument for democratization, but only through the channels provided by mass media and institutional politics; other forms of extra-institutional tactics, such as direct action, are not contemplated.

Following Habermas's analysis, then, one might conclude that the public use of communicative freedom will eventually flow, because of the existent system of political rights to participate in the electoral process, from the informal public sphere to the institutionalized arenas of deliberative and decisional activity, i.e. the parliament. Through formal legislative procedures regulated by the constitution, the influence generated by the civic body can be transformed into legitimate laws. This process requires a set of necessary preconditions, relative not only to the proper functioning of democratic institutions, but also to the independence of electronic and print media, which have a fundamental importance for the realization of an effective critical-rational discourse among citizens. In the following paragraph I try to show that those preconditions are not met in the Italian political context.

4. CASE STUDY ANALYSIS

There is nothing so hard as to change the existing order of things.
Niccolò Machiavelli¹⁴

4.1 Political Opportunities for Public Deliberation in Italy

4.1.1 Italy 1946-1992: an Anomalous Democracy

Italy represents an emblematic and widely studied case for what concern the issue of the quality of liberal democracy. Political scientists have usually pointed out at several aspects of the Italian political system which were absent in other Western-European states, and which explained, at least until the early 1990's, when dramatic political changes occurred, the famous definition of Italy as an "anomalous democracy" (Bull and Newell 2009:42). The goal here is not to give a complete account of the intricate vicissitudes of Italian democracy but rather to try to offer an analysis of those aspects that seem to have more importance in a Habermasian model of deliberative politics, such as (A) the relation between political institutions and civil society, (B) the legislative process, (C) the dynamics of political communication within the mass media system.

One of the peculiarities of Italian society, in the way it has been taking shape during the post-World War II period, was the high degree of ideological polarization, which was reflected, in turn, by the high number of parties represented in the parliament, even so-called "anti-system" parties (which in other European countries, with the only exception probably of France, did not usually win any seat in the chambers) at both sides of the political spectrum. These parties, and most notably the PCI (Italian Communist Party) which had a very broad electoral support, were systematically excluded by government coalitions, resulting in the "permanence in office of a single party (Christian Democracy) with its allies over a fifty-year period". (Bull 2004:550) i.e. for the whole duration of the so-called First Republic (1948-1994). For these reasons the legitimacy of democratic institutions in the perceptions of the citizens has typically been very low, to the point that the most common words for political scientists to define Italians' attitude toward politics, in the mid 60's, were "alienation, fragmentation, and isolation". (Segatti 2006:244) However, this deep disaffection towards institutions, for a long period, did not undermine the social foundations of the First Republic. On the contrary, a "consolidation was achieved essentially because the gap in legitimacy was compensated for by a reinforced *control over civil society* through the party penetration of public institutions" (Morlino and Tarchi 1996:44), a phenomenon better known as *partitocrazia*. The power of political parties had grown beyond their normal function of aggregating citizens' interests and pursuing their representation in institutions through elections, reaching a pervasive influence over the different sectors of public administration.

Strong signs of a revitalized civil society emerged only in the 80's, with the creation over the whole national territory of new voluntary associations, detached from any political parties, and engaged mostly in cultural and, in smaller proportion, civic activities (Ginsborg 2001:124). In Habermasian terms we might say that Italian society had witnessed a new flourishing of a "literary public sphere", whose development into a "political public sphere" was, at least initially, rather problematic.

The Italian political system underwent radical changes between 1992 and 1994. The events that led to the end of the First Republic (major corruption scandals in the governing coalition, deep economic crisis and the impact of the process of European economic integration, to name a few) are generally well known and do not constitute a focus of my analysis (see Ginsborg 2001 for a well articulated account). What I am interested in evaluating is instead to what extent the transition towards a more deliberative, accountable and legitimated political system, which was made

¹⁴ As quoted in Hager and Wagenaar (2003)

possible, *in potentia*, by the meltdown of the existent political order, has been effectively realized.

4.1.2 Legislative Process in the Second Republic: a Permanent Emergency

The change in the party system, from a highly fragmented to a bipolar system, has redrawn the power boundaries between the government and the parliament in favor of the former. This has drastically affected the legislative process. During the (ongoing) Second Republic the executive has been relying on extraordinary law-making procedures, such as law-decrees (*decreto legge*) and legislative decrees (*decreto legislativo*), often associated to a pervasive use of votes of confidence, that have strongly reduced the role and scope of parliamentary debate in the legislative process (Vassallo, 2007).

According to the Italian constitution (Art. 70) the legislative power, in the ordinary procedure, is a prerogative of the two houses of the parliament: although several subjects, such as government, individual members of the parliament and ordinary citizens have the faculty of proposing laws, the phase of deliberation, in which the bill is discussed, amended and finally approved or rejected, is exercised by the Parliament. However, government can, “in case of extraordinary necessity and urgency” (Costituzione della Repubblica Italiana, Art. 77) promulgate law-decrees, which do not require any prior authorization from the parliament, and are immediately executive. Law-decrees, because of their urgent nature, must be rapidly converted in law by the parliament, thus the time and opportunities for an open and unconstrained debate on them are severely limited. Extraordinary legislative procedures have shown to be useful instruments to respond promptly to the public finance crisis in 1992, but in the following years¹⁵, with the first Prodi Government, and especially the second and third Berlusconi Government, their use has been increasingly extended to address a wide variety of issues, often beyond the requisite of urgency (Vassallo, 2007:700). Law-decrees constitute 53% of the total legislation produced during the last year, under the fourth Berlusconi Government (Cotta et al. 2009:12).

In the light of these data, therefore, it is difficult not to find reasons of agreeing with Giorgio Agamben when he states that during the last 15 years,

“the practice of executive [*governamentale*] legislation by law-decrees has become the rule in Italy. Not only have emergency decrees been issued in moments of political crisis, thus circumventing the constitutional principle that the rights of the citizens can be limited only by law [...] but law-decrees now constitute the normal form of legislation to such a degree that they have been described as ‘bills strengthened by guaranteed emergency’. This means that the democratic principle of powers has today collapsed and that the executive power has in fact, at least partially, absorbed the legislative power. Parliament is no longer the sovereign legislative body that holds the executive power. In a technical sense, the Italian Republic is no longer parliamentary, but executive [*governamentale*].” (Agamben 2005:17-18)

Furthermore, even a delicate issue as constitutional reforms, which until the early 1990s were carried through only after a wide consensus among the political parties, and also among the broader civic body, was reached, it is now treated in a completely different manner, since changes to the constitution are achieved not through agreement but by means of a majority vote.

“In this way the constitution is losing its status as a document whose modification should be the product of wide-ranging consensus, prolonged reflection and debate, where the participants are sure that any change will clearly reinforce its democratic guarantees” (Bull 2004:555).

4.1.3 Media and Politics: Dangerous Liasons

The last aspect that needs to be mentioned is the independence of the mass-media from economic and political powers, which represents a necessary precondition for an unconstrained flow of communication between civil society and the political system. In the specific context of Italy many doubts can be raised about the relative independence of media of mass communication, because of

¹⁵ See Appendix C for a list of Italian Governments during the last 15 years.

the peculiar entanglement of the media in the political system exemplified by the double role of Silvio Berlusconi as media tycoon and Prime Minister, and therefore with a strong influence also on state-owned television networks.

For about 90% of the Italian public, as for the citizens of other major European countries, television is the media of mass communication that is consulted more often (Censis 2008:9); at the same time Italy, as well as other countries characterized by what Halling and Mancini (2004) define as the “Mediterranean or Polarized Pluralist Model” of relations between media and politics, traditionally has a low degree of daily newspapers circulation and readership. The dominance of television over newspapers as a source, in particular, of political information is marked: 78.3 % of Italian electors in 2008 have formed their vote choice through information provided by the former, whereas only 20.8% by the latter (Censis 2008:12); moreover this gap has been increasing in the last years (*ibid*:4).

The Italian television system has developed, for many years, in the form of a monopoly by RAI, the public service broadcaster. Many RAI TV programs, especially in the 1950's and 60's, were aimed at educating the audience in order to modernize and unify the country's culture and language. But the way the public television was managed is also a clear example of entanglement of the media system within the political system. According to a practice known as *lottizzazione*, each channel was controlled by a different party. While this mechanism was able to guarantee a certain degree of pluralism of information, it also hindered any possibility of autonomy and independency of the media. After RAI's monopoly ended in 1976, Italy witnessed a booming of local, privately-owned, television channels; however, by 1984 a single company, Berlusconi's Fininvest, had acquired control of the commercial broadcasting sector over the whole national territory, marking the shift, *de facto*, from a monopoly to a duopoly (Hibberd 2007:886).

Concentration in media ownership raises important issues in democratic societies, because it might hinder the possibility for minority groups to voice their concerns, decrease the diversity of opinions and points of view made available to the general public (Doyle 2002: 171). During Berlusconi's years as Prime Minister, and in particular after the approval of the so called Legge Gasparri on telecommunication, the reality of a conflict of interests between the mediatice and political roles has become increasingly pressing. In Habermas's words, Berlusconi first exploited the opportunities offered by his ownership of a media empire

“for political self-promotion and then, after taking over the reins of government, used his media empire to back dubious legislation in support of the consolidation of his private fortunes and political assets. In the course of this adventure, Berlusconi even succeeded in changing the media culture of his country, shifting it from a predominance of political education to an emphasis on marketing of depolitized entertainment” (Habermas 2006:421)

In the face of this situation, Italy is the only country in Western Europe whose press is considered partly free (Puddington, 2009).

4.2 Socio-Ecological Conflicts: the Case of TAV in Susa Valley

4.2.1 TAV: Proponents and Opponents

Susa Valley is a glacial valley located in the region of Piemonte, in North-Western Italy, and extending to the border of France. 37 municipalities are located in the valley, which has a total population of 75.000 inhabitants. (Caruso and Fedi 2008:28) The TAV is a 300 Km link between Turin and Lyon, which according to the project should cross Susa Valley. It is part, since in 2001 the French and Italian government have signed a treaty, officially agreeing on the construction, of the corridor 6 of the Trans-European Transport Network, TEN-T (European Commission, 2001). However, the first proposal of the TAV project dates back to 1989 when the Tecnocity association, a group of private companies, bankers and employers' association, puts forward a plan for the

construction of the new railway link. The next year, on the initiative of the Employers' Federation of Piemonte, the Promoting Committee for the High-Speed Railway Turin-Lyon was founded. Thus, "the primogeniture of the proposal of realizing the infrastructure is *private*, coming from an association of firms" (Caruso and Fedi 2008:25. Author's translation).

The Italian segment of the TAV will be constituted for the biggest part by two tunnels long 58 Km and 12 Km, with an estimated total cost of € 13 billion (Boitani et al. 2007:6). The project has found the opposition of local citizens, scientists and politicians, which have raised concerns over the environmental, social and economic impact of the infrastructure. The main claims of the No TAV movement can be summarized in the slogan "inutile e dannoso", which means "useless and harmful". According to the opponents, on one side, the existing railway is currently underexploited, and might be able to support the expected increase in railway traffic for the next decades. On the other side they expect the new project to produce irreversible damages on the local environment - which is already heavily occupied by other infrastructures - especially in terms of hydro-geological impacts, and on public health of current and future generations, because the soil and rocks of Susa Valley are rich in asbestos and uranium (Allasio 2006).

Several studies (for example Debernardi and Daho' 2001 and COWI Engineering 2006) have investigated in depth the scientific foundations of those claims, with somehow contradictory findings. Answering the question of whether the movement's perception of the unsustainability of the project is justified lies beyond the scope of this thesis. What I am here interested in showing is rather that both the movement's internal organization and its activity, which unfolds in a dualistic fashion (communicative and informational activities oriented towards the civil society, confrontational tactics oriented towards governmental institutions) have had positive outcomes in terms of democratization: the institutional decision-making process on the TAV project is now more open to inputs from local actors, and the participation of local community to the political debate has been revitalized. However, before moving to the analysis of the organizational and tactical repertoire of the No TAV movement, I will try to show that its confrontational stance towards the government is not merely ideological, it is rather a rational choice "structurally" justified by the poor deliberative quality of the policy process regarding the TAV project.

4.2.2 Deliberative Quality of the Decision-Making Process

The No TAV movement, especially in the middle-late part of its cycle of protest, has strongly advanced the accusation that the local community has never been involved in the decision-making process over the new infrastructure project. The movement's claims have been echoed by declarations of national politicians, from both the left and the right, that the decision of constructing the TAV had already been taken, that the infrastructure will be realized in any case and that the local populations and institutions will have voice only on how the construction will be realized.(Della Porta and Piazza 2008:105)

As Luigi Bobbio - one of the major Italian scholars of deliberative democracy - argues when commenting on the Italian policy-making style, as exemplified, in particular, by the case of TAV:

"expressions such as consensus building, stakeholder involvement, citizen's participation, partnership etc. are recurrent in official documents from all countries and, for years, have been present (unheeded or not understood) in European documents. The true lag of Italy does not lie in the anarchic virulence of its 'campanili'¹⁶ (which is instead a problem common to every country), but in the incapacity of taking into account this trend and adopting a consequent approach" (2006:126. Author's translation)

His impression is that the approach that both the Italian government and the private proponents of the TAV have pursued is far, to say the least, from the dialogical approach which is needed as enabling condition for citizen participation.

¹⁶ Literally "bell towers", it must be understood here as particularistic interests, parochialism.

Bobbio describes one significative example of how the national institutions have been unable to involve the local communities in the decision making process. Initially the TAV was planned to be built over-ground; the decision of using tunnels instead, was taken in response to the mounting protest, in the hope that, by “hiding” the railway, also the opposition would have faded. But also this decision “was taken in a completely unilateral way. A practical problem (making the railway non-visible) was solved, but was not solved a symbolic problem which was equally, or more, important (recognizing the local stakeholders as fully entitled interlocutors)” (Bobbio 2006:128). Besides several of similar anecdotal elements, there is one last, more substantial, aspect that needs to be analyzed in order to strengthen my point further.

The Legge Obiettivo, Strategic Infrastructure Act (Law no. 443/2001) is a Delegated Law passed in 2001 and made effective via a Legislative Decree (D.lgs. no. 190/2002) the following year; thus, it is another product of those extraordinary legislative procedures mentioned above. The goal of the law is to simplify the decision-making procedures regarding 80 infrastructural projects considered to be of national interest, among which the TAV, in order to achieve a more rapid realization. There are, I argue, two aspects of this law that contribute to curtail drastically the deliberative quality of decision making relative to the siting of strategic infrastructure.

(A) The decisional process is centralized and simplified in several aspects, two of which have been strongly criticized and opposed by the No TAV movement. The first concerns the role of local institutions. The “Conference of Services”, the main institutional setting which foresees the direct involvement of the municipalities, is cancelled from the preliminary phase of the project (the only phase in which it is possible to completely reject the realization of the infrastructure). Moreover, also the capacity of provinces and regions to influence the decisions on “strategic infrastructures” is limited, because, also in case of their opposition, the project can be approved via a decree of the Prime Minister. Thus, by regulating the TAV project by means of this law, the Italian Government “took the authority to *bypass the mediation with the other stakeholders* in the project, including the local governments and residents of the involved areas”. (Marincioni and Appiotti 2009:864)

(B) The second aspect relates to the role of the Environmental Impact Assessment (EIA) procedure. The law prescribes (Art. 17 of D.lgs. no. 190/2002) that the EIA be completed before the start of the construction works, rather than before the approval of the project. Also, there is no obligation, in case the definitive project is substantially different from the preliminary project, of a new EIA. (Art. 20 of D.lgs. no. 190/2002) Therefore the use and function of the EIA, as designed by the Strategic Infrastructure Act, appears to be deprived of its guiding principles, such as the principle of prevention. More generally, the EIA “as a decision support tool enables citizens to participate in inclusive and deliberative processes” (Wiklund 2005:282), thus reducing the importance and scope of EIA procedures, as the Strategic Infrastructure Law does, certainly poses another obstacle to citizens participation in deciding about the TAV.

4.2.3 Communicative and Conflictual Tactics of the No TAV Movement

According to Caruso and Fedi (2008:30-41), three phases can be identified in the development of the protest. In the initial phase, from 1990 until 1999, the main actors involved in the movement are local environmental organizations (Pro Natura, Legambiente, WWF) and the Habitat Committee, which is composed mainly by university professors and experts of environmental impact assessment, transport and planning. In this phase the activities of the No TAV movement are concentrated around the goal of informing both citizens and local institutions of the potential negative environmental impacts of the infrastructure project. For example in 1992-1993 the Habitat Committee organizes a series of public meetings in several municipalities in Susa Valley, in which the problem of noise pollution is discussed, and the audience can listen to the recorded sound of a high-speed train, in order to increase the public perception of the acoustic impact of the TAV. (Della Porta and Piazza 2008:22) The reliance on less conventional forms of action in this first phase is rather limited: during the whole decade only two demonstrations are organized. (Caruso

and Fedi 2008:33) During this period, in 1995 a first arena of public debate and collective decision-making among the TAV opponents is created: the Coordination Committee "open to all the regional and provincial council members elected in the Valley, all the mayors, environmental associations, Coldiretti¹⁷ representatives, trade unions, Asl¹⁸, technicians and experts [...] tends to become the main locus in which all actors involved in the conflict, institutional and non-institutional, elaborate a common strategy" (ibid:32. Author's translation).

The second phase starts in 2000 and ends in 2005. The acceleration in institutional decision-making on the project (as exemplified by the increase in the frequency of inter-governmental meetings between Italy and France, and the approval of the Legge Obiettivo) is reflected, in turn, by a consistent growth in citizens' contention (Della Porta and Piazza 2008:17). A new subject, which will become soon very important for expanding and radicalizing the tactical repertoire of the movement, joins the protest in 2000: Turin-based *centro sociale*¹⁹ Askatasuna. The social center creates, together with local citizens, the first Comitato di Lotta Popolare Contro l'Alta' Velocita' (Committee for the Popular Struggle Against High-Speed Trains), in the town of Bussoleno (ibid.:25). This form of collective agency, which over time spreads in the whole valley, until a Comitato di Lotta Popolare is formed in each municipality (Velleita' Alternative 2006:146), constitutes a novelty, which is evident in both the intertwined aspects of the movements's organization and tactics.

The Popular Committees organize themselves, materially and analytically, around the *resistance against* TAV. They represent examples of spontaneous self-organization of common citizens, and not merely associations of experts, members of existent environmental NGOs or representatives of local institutions, marking a substantial change from the earlier phase. As one of the interviewee states:

"since the beginning we have worked for the committees to multiply on the whole territory, to create counter-information starting from inter-personal relations. It was necessary to re-discover the capacity of speaking and engaging with one another, returning in the streets to dialogue and demonstrate" (Personal communication with the author.)

However, the most evident shift is in the forms of collective action. Since the first large demonstration – in May 2003, when in 20.000 take part in a march from Borgone to Bussoleno – until the most participated one – in November 2005, with 80.000 participants – the frequency and capacity of mobilization of contentious tactics appears to increase. (ref)

Most importantly, the Committees introduce a new instrument in the No TAV's tactical repertoire: the *presidi permanenti* (literally “permanent garrisons”), long-lasting occupations of TAV construction sites, in several occasions defended by clashes with the police (Della Porta and Piazza 2007: 870). It is important to point out that those direct act of resistance are not sporadic actions of small groups, but see involved large and diverse sectors of the local society. On the 31st of October 2005, in what has been baptized by the NoTAV as the "Seghino Battle", a group of about 100 activists resist for 12 hours on the barricades, against the police escorting the construction firm to a site where the preliminary drilling of scout holes is planned. During the following months, the citizens witness the increasing control of the Valley by the police, side by side with the radicalization of protest, with road blockades in the whole valley and one general strike (on the 17th of November). The peak in both participation and conflictuality is reached in December: for a whole week thousands of people surround the police who had previously taken control of the preliminary working sites in Venaus. Notwithstanding the permanent garrison is brutally evacuated by the police the night of the 5th of December, after three days more than 30.000 citizens occupy again the site in Venaus.

¹⁷ Union of Agricultural Workers

¹⁸ Azienda Sanitaria Locale, i.e. Local Health Care Agency

¹⁹ Centri sociali (literally social centers) are the Italian squatted youth centers.

It has been noted that:

"the clash with police has thus represented a moment of transition from the safeguard of circumscribed and local interests to the promotion of a universal common good, democracy"
(Mannarini et al.2008:89)

In fact the direct, oppositional actions by the "permanent garrisons" contribute to create new spaces for deliberative democracy, more autonomous from the processes of governmental politics. "Open city councils" are organized in the occupation sites "enlarging the perimeter of local institutional action and contributing to create new possibilities for participation for new subjects" (Caruso and Fedi 2008:37). Moreover the permanent garrisons inaugurate the practice of popular assemblies, the "decision-making body" of the movement (ibid.:40), public meetings where the different collective and individual components of the movement's network come together to arrive at common tactical and strategic decisions. The assemblies constitute open arenas for public debate, in which

"the organizational model is deliberative with a consensual decisional method, based on reasoning, shared choices and pursuit of unanimity." (Della Porta and Piazza, 2008:81.
Author's translation).

4.2.4 The Outcomes of Mobilization

The third and current phase of No Tav mobilizations starts in 2006. The peak in participation and conflictuality reached at the end of 2005 has resulted in several victories by the movement, which have, to some extent, decreased its contentiousness. However, during the last years the most active sectors of the movement have been effective in addressing the risk of demobilization, maintaining the high degree of salience of the TAV issue mainly by means of public protests and demonstrations. (Caruso and Fedi 2008:39).

The TAV project has been removed by the Strategic Infrastructure Act and the decision-making process has returned to normal procedures (Caruso and Fedi 2008:27), the preliminary works have been halted and the "Observatory on the Railway Link Turin-Lyon", a new institution aimed at restoring the dialogue between national and local institutions, has been created. (Podestà 2008). These juridical and institutional outcomes are important in assessing the democratic potential of the No TAV mobilization, but are not enough. According to the literature, these outcomes, being relatively easy to achieve but also to reverse, represent an "extremely weak form of political change" (Kolb 2007). Indeed, there is an ongoing political pressure by part of the Government for reinserting TAV in the list of Strategic Infrastructure, and also the legitimacy of the Observatory is currently questionable, after the city councils of 7 municipalities have decided not to take part in it.

More substantive outcomes can be seen in a revitalized civil society. According to Caruso and Fedi in Susa Valley "there has been a shift from protest to praxis" (2008:39) through the creation of local NGOs engaged in organic agriculture and renewable energy project. Moreover, the long period of No TAV mobilization has resulted in the transformation of many activists in counter-experts and dissemination of specific competences among the lay public (Fedi et al.2008:145). But, most importantly, the struggle has had positive outcomes in terms of solidarity and participation. The NoTAV movement:

"does not limit itself to request a new form of democracy, but tries to elaborate and practice it during the protest actions by creating a networked organizational structure and adopting inclusive decisional methods. [...] Those structures have seen a very high popular participation, and, notwithstanding the assembly format has slowed down the decision making process, it has been considered positive in terms of collective identity formation." (Della Porta and Piazza 2008:170)

Thus, as Fedi et al. (2008:125-156) argue, the inter-organizational empowerment has fostered a broader process of community empowerment.

5. FINAL DISCUSSION AND CONCLUSIONS

*But, if constructing the future
and settling everything for all times are not our affair,
it is all the more clear what we have to accomplish at present:
I am referring to ruthless criticism of all that exists,
ruthless both in the sense of
not being afraid of the results it arrives at
and in the sense of
being just as little afraid of conflict with the powers that be.*

Karl Marx²⁰

5.1 Environmental Direct Action Between Political Praxis and Social Theory

5.1.1 Deliberative Activists and the Democratization of Environmental Politics

By relating back, in a dialectic fashion, the insights provided by the case study to the theoretical perspectives that inform the analysis, this research seeks to provide the basis for a radical reconstruction of Habermas's theory of deliberative democracy applied to socio-ecological conflicts.

There is one major practical implication deriving from my analysis: when environmental activists recur to direct action not on a ideological basis, but because of lack of political opportunities for participation, contention could lead to a more democratic public deliberation.

While a certain degree of ideology is an inevitable component of any social movement, the point I try to make is that the recourse to contentious forms of collective action by environmental movements - which, in any case, has to be read within the broader range of tactics employed - has an inherently structural nature. When, as it seems to be the case in Italy, the actual features and performances of the political system substantially jeopardize the promises of legitimacy, responsiveness and pluralism which the ideal of a liberal democracy holds, then the institutional channels of political participation become less practicable, and the quest for new mechanisms of citizen's involvement is not only justified, but necessary. Extra-institutional actions could be able, on the contrary, to create public spaces in which the primacy of undistorted communication is restored and citizens can participate in the debate. The "permanent garrisons", in Susa Valley and potentially elsewhere in Italy, are one example of those instruments through which a more autonomous and deliberative public sphere, at local level, can be revitalized.

Under certain conditions then direct action becomes a viable tactical choice for *deliberative activists*; as Archon Fung suggests:

"sometimes, forces more compelling than the better argument are necessary to establish fair and inclusive deliberation or the conditions that support such deliberation. When circumstances justify the use of such force for deliberative democrats, they become deliberative activists."
(Fung 2005:)

In the specific case of local resistance arising from socio-ecological conflicts, another of those "circumstances" which justify direct-action is clearly identifiable. As Humphrey (2008) points out, the common goods defended by environmental movements are of a different nature from those defended by other social movements that also challenge institutional politics, for many environmental impacts lack reversibility. Because of unaccounted side-effects of narrowly designed public policies, our society is far from achieving a fair – intersectional and intergenerational – distribution of common goods deriving from the wide range of symbolic and life-supporting functions of ecological systems, which are, to many extents, *irreplaceable common goods*:

²⁰ Letter from the *Deutsch-Französische Jahrbücher* (1843). Available on http://www.marxists.org/archive/marx/works/1843/letters/43_09.htm

it is a fundamental part of the legitimization of the democratic way of doing business that there is policy reversibility. The lack of reversibility over an important range of environmental outcomes adds weight to the justification for environmental direct action. (Humphrey 2008:311)

5.1.2 Reconstructing Habermas's Theory to Study Socio-Ecological Conflicts

The study of socio-ecological conflicts poses fundamentally new challenges to Habermas's "proceduralist theory of deliberative democracy" (McCarthy 1994:48). As notoriously stated by Goodin (1992) "(t)o advocate democracy is to advocate procedures, to advocate environmentalism is to advocate substantive outcomes". To what extent direct collective actions by environmental justice movements can be reconciled with deliberative processes based on the sheer force of better argument?

I argue here that a overly-schematic interpretation of Habermas's in political terms could be misleading if our society has to effectively engage with the challenge of democratic social change towards sustainability. I suggest that there are two aspects of Habermas's critical theory of society that, if critically revised, provide the foundations for a reconstruction of his conception of deliberative democracy: (A) the colonization thesis and (B) the role of social movements in fostering an autonomous public sphere.

(A) In *TCA*, Habermas deserves a considerable part of his analysis to the colonization thesis. Juridification is one of those social pathologies resulting from colonization by the system (Habermas 1987:367-368), which tends to "displace communicative forms of solidarity and inhibit the reproduction of the lifeworld[...]turning citizens into clients of bureaucracy". (Bohman and Rehg 2009). The impact of this analysis on Habermas's late works instead is much less evident. In *BFN*, he argues that:

"Democratic institutions, if properly designed and robustly executed, are supposed to ensure that the law does not take this pathological form but is subject to the deliberation of citizens, who thus author the laws to which they are subject. After *TCA*, then, Habermas begins to see law not as part of the problem, but as part of the solution, once he offers a more complete discourse-theoretical account of law and democracy." (*ibid.*)

However, as I have tried to show in this dissertation, Habermas's conception of law as necessary result of the institutionalization of communicative power "is build on a postulate that is contradicted by the slightest glance at the history of constitutional law" (Anderson 2005:119). If Habermas's theory of deliberative democracy has to attain its own goal to provide a critique of real-existing democracy, I argue that a less idealistic conception of law is needed. Within an Habermasian theoretical framework, the concept of juridification seems to provide more convincing and stable foundations for a critical view of deliberative democracy. In this sense "when the defense of the existing nondeliberative status quo institutions is noncommunicative" (Fung 2005:404), extra-institutional tactics and direct-actions by social movements can be effective and justifiable means to resist colonization and juridification.

(B) This does not implies that all forms of direct actions are acceptable. Direct action, as a form of collective action aimed at achieving substantial outcomes by operating immediately, does not rely on dialogue as medium of persuasion: its effects pursue disruption rather than an ideal consensus. In these terms is evident that justifications of direct action have many of the features of *instrumental* rather than *communicative* rationality. Habermas argues in *TCA* that social movements can potentially create new opportunities for expression and communication, but he does not specify exactly through which mechanisms they are able to do so. However, we can find those conditions for social movement's agency to have democratic effects. clearly stated in STPS²¹:

"To be able to satisfy these functions in the sense of democratic opinion and consensus formation, [a social movement organization's] inner structure must first be organized in accord

²¹ Notwithstanding what claimed by Kellner (see *par .3.1*)

with the principle of publicity and must institutionally permit an intraparty or intr-association democracy to allow for unhampered communication and public rational-critical debate"
(Habermas 1989:142)

Social movements internal democracy could extend to the broader public sphere. Therefore also social movements' reliance on contentious tactics, when, as it seems to be the case in Susa Valley, both fosters and results from an open and public debate, is able to lead to a more democratic civil society. In those contexts, paradoxically, pursuing at all costs a dialogue with political institutions might have negative effects

"for, if a group migrates from oppositional civil society to the state, then by definition the oppositional public sphere in question is depleted. Now, if this migration completely empties the public sphere in question, then we should worry a great deal about democratic authenticity"
(Dryzek et al. 2003:106)

Following Habermas's analysis in STPS, then, I argue that a critical theory of participation and deliberation as democratizing forces must recognize the central role played by social movements in creating an *autonomous* public sphere, also by means of direct and oppositional actions.

5.2 Suggestions for Further Research

In this dissertation I have explored only selected aspects of complex and multidimensional phenomena as political participation, social conflict and democratic change. Each of these topics certainly deserve levels of analytical depth that this thesis can neither afford nor reach. Also, the task of pursuing a critical-theoretical approach, which questions received knowledge, is as difficult as necessary, and requires more articulated effort. The broader theoretical and practical implications of the discussion in paragraph 5.1 above, must be assessed in the light of the many limitations of this dissertation. Even though I have sought to offer a contribution to the relevant academic debate, I do not claim to have provided a definitive answer: the fundamental question on what form of social movement agency is best suited to foster democratization and sustainability, remains fundamentally open to further investigations. This thesis constitutes thus a preliminary work, which I think might be fruitfully developed in several directions.

The conflict over the TAV in Susa Valley and the other cases of environmental protest in Italy, in dynamic interaction with cycles of local and national institutional politics, are in continuous evolution. The events of mobilization keep on bringing in new elements for analysis, in the light of which my arguments need to be refined, or perhaps even reassessed. It would be interesting to enlarge the scope of the study, for example, by means of a qualitative comparative analysis of the several cases in Italy which share goals and tactics with the No TAV Movement. This would clarify some aspects on the relations between the national political system and local struggles. Or, to remain within the case of TAV, a comparison between the dynamics of protest in Susa Valley and the parallel protest against the French segment might provide insights on how different political institutions deal with environmental conflicts, and what this implies for social movement agency.

Also the theoretical discussion of this thesis leaves much room to deepen the investigation. Among the several dimensions of Habermas's democratic theory and its implications for sustainability, some require a more subtle analysis of philosophical issues. Comparative analysis might result fruitful also in this area of research. For example Flyvbjerg, throughout his research has shown that when "the discourse ethics of Habermas is contrasted with the power analytics and ethics of Foucault" (1998:210) we can better assess how Habermas's work contributes to civil society theory and to practical processes of democratic social change. Thus, in a similar fashion but with a different focus, we might advance the current understanding of the conceptions of public autonomy within an Habermasian framework through a comparison with Negri's concept of "autonomy of the political".

Another direction that further research could follow is aimed at exploring further the relation between communicative action, social movement agency and sustainability indicators. For example, we might ground in Habermas's social theory the theoretical foundations for material and energy flow analysis (MEFA) of socio-ecological conflicts. According to Schiller (2008) an Habermasian approach to MEFA might succeed where economic libertarianism and political liberalism seem to fail: providing the necessary interdisciplinary perspective to tie analyses of functional integration of society with analyses of its material reproduction. Following Martinez Alier's (2005) suggestions, future research could focus on the dynamics between physical indicators of (un)sustainability in the transport sectors, or in the urban waste sector, and the role of environmental justice movements in socio ecological conflicts, such as the case of TAV in Susa Valley or the waste crisis in Campania.

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No TAV Websites

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7. APPENDICES

A. Deliberative Democracy and Participatory Democracy

According to some political theorists, participatory democracy and deliberative democracy should be analyzed as distinct conceptions. Hauptmann (2001) argues, for example, that the two main criticisms that deliberative democrats have moved against the project of participatory democracy - namely (1) that it would be too simplistic to be applied in modern, increasingly complex, societies, and therefore unrealistic; and (2) that it fails in protecting the individual rights against the “tyranny of the majority” - are so thorough and fundamental that “deliberative democratic theory should therefore be understood as a significant departure from participatory theory rather than an updated restatement of it.” (*ibid.*:420)

Others, however, deny that such a clear distinction between the two conceptions exist, and, by highlighting instead the several common features, talk interchangeably of participatory democracy or deliberative democracy (see for example Fischer 2006 and Meadowcroft 2001). In fact, both proposals arise as response to the increasing legitimacy crisis of traditional liberal-democratic institutions based on representation and delegation; in this sense they are both conceptions of a “strong democracy”, as opposed to the “thin democracy” of representative politics, to use Barber’s (2003) terms. Moreover, if one considers that “participation is interaction among individuals through the medium of language” (Webler 1995:40), it becomes clear that both conceptions of democracy fundamentally rely upon the mechanism of free and unconstrained debate among citizens and retain therefore a fundamental intersubjective dimension. Thus, in this dissertation, I shall follow Vitale’s claim that “the two theories’ perception of democracy represents a common nucleus comprising complementary elements that, in combination, present a strong case for a joint enterprise” (2006:759) and treat citizen participation and deliberation as closely intertwined, and mutually reinforcing, dimensions of the same project of democratizing the “democratic” decision-making process.

B. The State of Social Movements Research

In recent years social movements have been receiving particular attention from a wide range of disciplines: not only political scientists but also sociologists, historians, economists and experts in communication theory write more and more often on this subject (Della Porta and Diani 1999:15). This boost in the emphasis the academic community concedes to collective actors is certainly due to a specific pattern of historical development: starting with anti-colonialist movements rising in the post-war period, passing through the civil rights, student, feminist and anti-nuclear movements of the 1960's and 70's, to arrive to the anti-globalization movement of the late 1990's, the history of modern society offers to social scientist always new objects of study and interpretative categories. However, as the field of study has expanded, the explanatory power of the term “social movement” has grown thinner, to the point that lobbying groups, political parties, single organizations or even religious sects like Hare Krishna have been defined and analyzed as social movements. (*ibid.*:15)

Notwithstanding the large variety of studies on this topic, it is common to identify two preeminent approaches in contemporary social movement research, known as “Resource-Mobilization” and “New Social Movement” approach. Since this area of study has been revitalized in the 1970s and 80s, the two theoretical paradigms have developed in a distinct but parallel manner on each side of the Atlantic, respectively thanks to the work of North-American scholars like William Gamson, Doug McAdam, Charles Tilly, Sidney Tarrow and, in Western Europe, by Alain Touraine, Klaus Offe and Alberto Melucci, among others.

Resource-mobilization can be seen, in its purest version (see for example McCarthy and Zald 1977), as an application of organization theory to social movement research. It tends to analyze social

movements in terms of both material and immaterial organizational factors, such as the number of activists involved, the amount of money and facilities available, the authority of the leadership, the degree of moral engagement. A slightly different version of this approach, known as political-process model²², instead stresses the importance of the “political opportunity structure”, that is the broader political environment in which social movements act: the degree of openness/closedness and the stability/instability of the political system, the availability of institutional allies, the existence of conflicts among political elites, are all variables that influence the development and dynamic of social movement. As Tarrow says:

“movements are created when political opportunities open up for social actors who usually lack them”. (1994:1)

The resource-mobilization approach entails a neoutilitarian, instrumentally-rational outlook that has been criticized by the proponents of the “New Social Movement” approach. They contend that “collective action is not restricted to political exchanges, negotiations, and strategic calculations between adversaries. Today, collective actors focus primarily on issues of social norms and collective identity”. (Cohen and Arato 1995:510) Therefore, in this second approach, the focus of the analysis shifts from merely political elements to more cultural aspects of social movements, such as the reinterpretation of the surrounding context, or the construction of a shared ideological orientation that guides the group in its actions.

To summarize, we can say with Melucci (1982, as cited in Della Porta and Diani 1999:2) that while the American approach to social movement studies tends to focus more on the “*how* of collective action”, European scholars seem more interested in explaining the “*why* of collective action”.

Habermas's analysis of social movements, exposed in his widely discussed article “New Social Movements”(1981) is usually associated with the Continental approach, but one must not overlook the fact it is developed within his more broad, comprehensive and elaborated theory of communicative action²³. Because of this Habermas's theory of social movement is able to address questions on both (A) the symbolic justifications of collective actions and (B) its political effectiveness. This claim is consistent with Cohen and Arato argument that the width of Habermas's framework makes possible to develop a “synthetic theoretical paradigm of social movements” (1995:527), to some extent even beyond Habermas's own intentions.

22 The political-process model is presented at times as an approach which is distinct from resource-mobilization. Here I follow Cohen and Arato in grouping them under the same label since they both “analyze collective action in terms of the logic of strategic interaction and cost-benefit calculations” (1995:498)

23 Not only analytically but also materially: the article above is indeed extracted from “The Theory of Communicative Action - Volume Two” pp. 392-396

C. Italian Governments since May 1994

Table 1 Italian Governments since May 1994 till date (November 2008)

Government duration	Prime minister
From May 1994 to January 1995	Berlusconi (1st Govt.)
From January 1995 to May 1996	Dini
From May 1996 to Octobers 1998	Prodi (1st Govt.)
From October 1998 to December 1999	D'Alema (1st Govt.)
From December 1999 to April 2000	D'Alema (2nd Govt.)
From April 2000 to June 2001	Amato (2nd Govt.)
From June 2001 to April 2005	Berlusconi (2nd Govt.)
From April 2005 to May 2006	Berlusconi (3rd Govt.)
From May 2006 to May 2008	Prodi (2nd Govt.)
Since May 2008 till date (November 2008)	Berlusconi (4th Govt.)

(Source Marincioni and Appiotti 2009:864)