

Do paradigms matter in LGBT+ policymaking?

Understanding Italian policies within the European framework

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Abstract

This article explores the trajectory of LGBT+ policies in Italy, examining their evolution within the European framework of antidiscrimination and equality paradigms. Focusing on three major Italian policy programs developed since 2013, it analyzes the interplay between European and national influences, the involvement of LGBT+ groups, and the impact of policy paradigms on LGBT+ policymaking and implementation. Grounded in a methodological posture oriented towards problem representations and ideationality, the findings indicate a coexistence between antidiscrimination and equality paradigms in Italy under external (European) and internal (LGBT+ and anti-LGBT+ groups) pressure. This research contributes to understanding the dynamics of policy change in the contentious field of gender and sexuality, offering insights into the role of policy paradigms in shaping LGBT+ policies in Italy.

1. Introduction

On September 14 2023, the new Minister for Family, Natality, and Equal Opportunities, Eugenia Roccella, answered a parliamentary question by Senator Sensi from the opposition (Democratic Party). In 2021, tens of associations had received €4 million worth of extraordinary funding to open shelters for lesbian, gay, bisexual, transgender, etc. (LGBT+) victims of violence and discrimination. The MP was voicing his concern over the possibility of the financing not being renewed. However, after about a year of uncertainty that seemed to suggest that the new Meloni government would abandon the commitment made by its predecessor, Minister Roccella declared: “on May 23 I signed the decree to release the 2020-2021 funds, ensuring continuity to the implemented projects”.¹

This episode is a good illustration of the uncertain and discontinuous trajectory of policies related to sexual orientation and gender identity in the Italian context, often

¹ Redazione, Diritti Lgbtq: si parla del contrasto alle discriminazioni ma l'Aula è vuota. Roccella: “Sbloccati i fondi per vittime e centri antiviolenza”, Corriere della Sera, 14 September 2023. URL: https://www.repubblica.it/politica/2023/09/14/news/diritti_lgbtq_governo_senato_aula_vuota-414461355/.



portrayed as a traditionalist country (Hurka, Knill & Rivière, 2018). Here, policies on controversial issues related to morality politics (Engeli & Varone, 2011) tend to either be obstructed or go through long and tortuous processes, when not interrupted altogether. The literature on gender policies (Donà, 2007) has long explored the dynamics that have shaped the path leading to the elaboration of increasingly articulated and complex models of public intervention (Lombardo, 2012), ranging from formal gender partisanship, to gender mainstreaming policies (Mazur & Engeli, 2020), and to more recent approaches grounded in intersectional perspectives, also known as “gender+” (Krizsan, Skjeie, & Squires, 2014). By contrast, little is known about the specific dynamics of LGBT+ policymaking processes, the role of agenda-setters, or existing policy instruments and their development (Capano & Howlett, 2009). In Italy specifically, we are faced with a situation where the general difficulty of extending the field of recognition of LGBT+ rights, as witnessed by the emblematic case of civil unions (Prearo 2024a; Grimaldi and Prearo 2022; Donà 2021; Ozzano 2020 and 2015), does not automatically correspond to an absence of public policies engaging with sexual orientation and gender identity. On the contrary, such policies *have* been on the agenda of several governments for ten years in explicit or implicit ways.

This paper aims to examine the complex interplay between policy paradigms, policymaking, and the European LGBT+ policy framework of antidiscrimination and equality to explain how, when, and why LGBT+ policies are put on the agenda, elaborated, and implemented. Our study contributes to the analysis of the specific trajectory of LGBT+ policies and situates them in the broader canvas of gender policy literature. By combining attention for the ideational tenets and the operational aspects of Italian LGBT+ policies, we fine tune a critical lens that enhances our understanding of the interplay between the symbolic and practical orientations inherent in LGBT+ policymaking. We thus aim to answer the following research question: how are LGBT+ policies set on the agenda, elaborated, and implemented in a context of external (European) and internal (LGBT+ and anti-LGBT+ organizations) pressures, coupled with structural governmental instability? Interrogating policymaking *ideationally* does not mean sidelining its implementation; rather it is an invitation to consider the objectives that policies implicitly or explicitly pursue. In other words, do policies have a significance before and beyond their execution? Do they attend to practical or symbolic ends?

To answer this question, in the first section, we propose an analysis in terms of *policy paradigms* and *paradigm shifts* rather than policy instruments to focus on those aspects that can be identified as internal and external pressures (Capano, Pritoni & Vicentini, 2020; Lascoumes & Le Galès, 2007). In the second section, we situate European LGBT+ policies alongside other grounds of discrimination (gender, race, religion, etc.) and describe their trajectory as marked by at least two different paradigms: antidiscriminatory and egalitarian (Geddes, 2004). After presenting a methodology borrowed from the literature on gender policy analysis, we discuss the collected data and highlight instances of continuity and discontinuity between three policy programs adopted in Italy over the last decade. Finally, we advance an interpretation that points to policy paradigms as determinant factors in explaining the shape and advent of LGBT+

policies in Italy and, at the same time, as a valuable analytical perspective for future research.

2. Analyzing LGBT+ policies through paradigms

A *policy paradigm* is broadly described as “a framework of ideas and standards that specifies not only the goals of policy and the kind of instruments that can be used [...], but also the very nature of the problems they are meant to be addressing” (Hall, 1993, p. 276). In an effort to operationalize this concept in the field of policy analysis, it has been described as an internally coherent system ordering four dimensions: “values, assumptions and principles about the nature of reality, social justice and the appropriate role of the State; a conception of the problem that requires public intervention; ideas about which policy ends and objectives should be pursued; and ideas about appropriate policy ‘means’ to achieve those ends” (Daigneault, 2014, p. 461).

The prism of policy paradigms brings into focus the relevance of ideas to policymaking processes across the macro (general vision and principles), meso (broad strategies), and micro (policy instruments) levels (Pizzimenti, 2008). To reformulate it from the entry point of ideas and representations, the consolidation and circulation of ideas that are crystalized into variably structured and coherent assemblages to which actors subscribe give rise to *paradigms*. Policies are developed and put into action within said paradigms. As Giliberto Capano states: “[p]olicies [...] are *ideational fora* where different ideas develop, interact, and often collide on what is to be done and what values are to be pursued” (2009, p. 18).

The concept of policy paradigm, on the one hand, offers a way of thinking about the role of conflict over ideas and conceptions of public issues, notably in the contentious field of gender and sexuality. On the other, it accommodates an analysis that seeks to apprehend the transnational circulation of ideas, especially within European institutional spaces. Capano's work (2003) on administrative paradigms underscores the importance of the ideational content shared by policymakers in shaping policy solutions and networks that deviate from the “hegemonic paradigm”. Policy change does not happen through strictly political or partisan conflict, but precisely on the ideational level of policy paradigms.

Centering the production and circulation of ideas that frame and define policy issues (i.e. the ideational dimension) is of particular importance in gender equality policies (Kennett and Lendvai, 2014). Problem definitions (Bacchi, 1999), frames (Verloo, 2007), discourses (Sauer, 2010), *référentiels* (Muller, 2005), paradigms (Jenson, 1989) or narratives (Lowndes, 2020) – depending on the theoretical and epistemological perspective – result from the interactions between social, political, and institutional actors within the formal and informal rules that govern these processes. Since conflicts over the very definition of gender equality (Lombardo et al., 2009) are often rooted in divergent sets of intellectual and feminist traditions, one can register a variety of meanings ascribed to gender equality (Verloo, 2005) which in turn translate into a variety of gender equality policies.

Alongside the animated conflicts over the meanings of gender and sexual equality, the second element that has a remarkable influence on LGBT+ policies is the European context. When in 1997 the Amsterdam Treaty introduced the protection from

discrimination based on sexual orientation, it foregrounded the possibility of public intervention within the EU on an issue that was until then regarded as a private matter. Within a couple of decades, this ushered in interventions at the European level that made LGBT+ rights into a question that has come to define the very identity of the EU – not without its own set of problems (Eigenmann, 2022; Sloommaeckers, 2020). These developments have been given theoretical coherence under the idea of a “Europeanization” of LGBT+ rights (Ayoub & Paternotte, 2020; Sloommaeckers et al., 2016), which has produced changes in member states’ policies.

More precisely, a European framework productive of an “equality regime” gradually appeared (Krizsan et al., 2014). Following this intense work of political definition and instrumentation at the European level, departments or ministries dedicated to equal opportunities and equality emerged (Donà, 2018) and worked on policies that address issues related to sexual orientation and gender identity, which were later translated into a wide set of policy instruments. This productive link between ideas over equality/discrimination and policy instruments explains why it can be heuristic to make sense of the ideational dimension in terms of *policy paradigms*, and even more so in a European context.

3. Empirical context: Italian policies within the European framework

The fight against gender- and sexual-orientation-based discrimination first received institutional attention during the 1970s and 1980s in conjuncture with a heightened investment in the European field by LGBT+ activists (Ayoub & Paternotte, 2020). Within the EU (then European Community), two institutions were at the forefront in this regard: the EU Court of Justice, which carved an important space for antidiscrimination law on the basis of gender thanks to an “activist interpretation” of Article 119 EEC (now Art. 157 TFEU) on equal pay (Belavusau & Henrard, 2019), and the European Parliament that played host to claims for greater equality as evinced by the adoption of two reports (i.e. Squarcialupi and Roth) in 1984 and 1994 (Ayoub & Paternotte, 2020; Belavusau, 2020).

Signed in 1997, the Treaty of Amsterdam entered into force in 1999. The document was pivotal in two regards. Firstly, with Article 3(2) TEC (now Art. 8 TFEU), it extended the objective of eliminating gender discrimination beyond the field of employment, thus making it a general principle. Secondly, with Article 13 TEC (now Art. 19 TFEU), it extended the recognized and protected grounds of discrimination to sexual orientation (Belavusau, 2020; Belavusau & Henrard, 2019). Lacking direct effect per se, it was through the Framework Equality Directive or FED (2000/78/CE) that entered into force in 2000, that Article 13 became available as a legal antidiscrimination instrument. However, its applicability was restricted to the area of workplace and working conditions because of the perimeter set in the directive.

The next noteworthy legal step undertaken at the EU level came with the 2009 Lisbon Treaty (signed in 2007). Contrary to the Amsterdam Treaty, it did not represent a fundamental change but rather solidified some trends that had been set in motion in the early 2000s. While in principle this new legal base could have proved to be a solid bedrock for more ambitious directives (e.g. the one formulated in 2008 extending sexual

orientation antidiscrimination actions beyond the workplace) these never saw the light of day due to stronger internal resistance (Belavusau, 2020; Belavusau & Henrard, 2019).

Until this point, while the sexual orientation category increasingly found its place as a specific area of intervention (Golebiowska, 2019), gender identity was kept outside the purview of European antidiscrimination regulations as such. Despite the legislative vacuum, the European Court of Human Rights had already included this category in case law, alongside the EUCJ and national courts. This shows that within Europe, other institutions outside the EU can have a significant influence on the approach to LGBT+ issues.

With the historic 2010 Resolution 1728 on *Discrimination on the basis of sexual orientation and gender identity* the parliamentary Assembly of the Council of Europe (CoE) articulated an antidiscrimination framework that introduces two crucial conceptual changes. First, it extends its scope to gender identity and affirms that “[s]exual orientation and gender identity are recognised as prohibited grounds for discrimination”. Second, it incorporates an approach to discrimination that covers all aspects of life beyond the workplace: precisely what the EU directives had failed to recognize. The unprecedented development put forth by Resolution 1728 – building on the work of the Council of Europe’s Committee of Ministers and its recommendation (CM/Rec/2010/5) – is an import of the *gender mainstreaming* model (Ahrens, 2019; Daly, 2005; Eveline & Bacchi, 2005) from the field of European gender equality policies to a different field of action (Lombardo et al., 2017; Lombardo & Forest, 2012; Lombardo & Meier, 2022). While the 2000 EU Directive recognizes sexual orientation and gender identity as grounds of discrimination, following the CoE document the political goal shifts from the protection of LGBT+ people from violence and discrimination, to the achievement of their substantive equality.

At EU level, post-Lisbon, no substantial change was introduced in the form of either primary (e.g. treaties) or secondary (e.g. resolutions) law, which both have binding force. However, one should not underestimate the importance of policy *programs* as a crucial – though oft underestimated – form of de-legalized policy instrument (Ahrens, 2019). When we turn to soft law (e.g. policy programs) we can catch sight of the developments that have occurred during the last decade and that Laura Eigenmann situates in: “the increased visibility of LGBTI policies, the proliferation of ‘symbolic actions’ portraying LGBTI rights as ‘core values’ of the EU [...] and increasing support of high-level actors and entire EU institutions” (Eigenmann, 2022, p. 102). The prevalence of soft law instruments reached its peak with the launch of the *2020-2025 LGBTIQ Equality Strategy* by the European Commission. An important shift crystalized by the *Strategy* is the accrued importance of measures that aimed to guarantee the more general goal of equal rights across all areas of life and not only to prevent discrimination.

Looking back at the last thirty years, two paradigmatic tendencies rise to the surface. First, the introduction in Article 13 of the Treaty of Amsterdam of sexual orientation as recognized ground of discrimination opened a historic sequence of progressive extensions of the scope of antidiscrimination law to hitherto excluded categories. This greatly contributed to a larger process that established discrimination as a *public* problem requiring *public* intervention, and therefore as “one of the main

policy paradigms that emerged during the process of Europeanization” (Amiriaux & Guiraudon, 2010, p. 1692).

Second, the 2010 CoE resolution marks a shift in paradigm insofar as it redefines, on the one hand, the values on which public action is grounded and on the other, the conception of the problem, or to borrow Carol Bacchi’s terms, what the problem is represented to be (2012b). In other words, while the 2000 EU Directive recognizes sexual orientation and gender identity as grounds of discrimination to be incorporated into antidiscrimination actions, the CoE 2010 Resolution recognizes *both* discrimination *and* the right to equality. In the first case, the grounds of discrimination are acknowledged in abstract; in the second, proactive political actions are summoned that extend the bearing of LGBT+ rights recognition.

To summarize and conceptualize the changes that occurred in European institutions, we hold that between the 2000 Directive and the 2020 Equality Strategy a *paradigm shift* happened. Along the four axes identified by Daigneault, a shift occurred from a paradigm predicated on antidiscrimination interventions to one grounded in the aspirations to equality achieved through a wide-ranging mainstreaming approach. It is important to mention that the transformations that occurred in LGBT+ policymaking interestingly mirror what has been observed in the field of gender equality policies, where the literature variously identifies progression from a unitary to a multiple approach and a shift from antidiscrimination to gender mainstreaming (Lombardo & Verloo, 2009).

This shift had a direct impact on the context of LGBT+ policies in Italy. Italy incorporated the 2000 EU directive in 2003 with a law introducing sexual discrimination as a category in the context of workplace discrimination (Decreto Legislativo n. 216 2 July 2003, modified in 2008). However, a report by the EU Agency for Fundamental Rights (FRA) (2009) situated Italy among the most conservative member states. Unlike most countries, when incorporating the Directive, Italy did not extend its purview to all areas included in the racial discrimination Directive, which was significantly more capacious (CE 2000/43 29 June 2000). Gender identity does not appear explicitly in Italian workplace discrimination law. However, case law has long held that “gender” norms are also intended to protect trans people.

The 2003 law also provided for the establishment of the National Racial Antidiscrimination Office (UNAR) within the Department for Equal Opportunities. Since 2012, UNAR is charged with the implementation of policies addressing not only racial minorities but also gender, sexual, disabled, and religious minority groups. This is why Italy first attempted to forge a set of policy tools addressing gender identity and sexual orientation only with the elaboration of the *2013-2015 National LGBT Strategy*. This was a direct result of Recommendation CM/Rec (2010)5, which the CoE had promoted by establishing an experimental program that provided Italy with technical support to design a national program. It must be highlighted that CoE recommendations are non-binding. However, in this case they held significant guiding power as witnessed by the fact that they incited domestic policymaking through a specific experimental program.

In 2014, Italy launched the National Operative Program *Inclusione* (PON Inclusione), a large-scale initiative for poverty reduction. Worth €1.2 billion, it was

encouraged and 75% financed by the EU through the European Social Fund. In 2016, UNAR signed an agreement with the PON Inclusion management authority to receive €23.4 million, €3 million of which were allocated to measures to increase marketplace inclusion of LGBT+ people. Most policy initiatives implemented in Italy targeting LGBT+ antidiscrimination and equality since 2016 have been a direct result of this funding campaign. This included a project assigned to the National Statistics Institute (ISTAT) to develop a survey and surveying tools to collect data on LGBT+ access to employment; a project to encourage trans entrepreneurship; and a project entrusted to the National Health Institute (ISS) to promote the fight against the discrimination and social exclusion of intersex people.

These and other initiatives did not depend on an overarching policy strategy; they rather constituted a sparse ensemble of specific measures. A second policy program, presented as a more comprehensive plan, though limited to one area of intervention, was the *Program to prevent and combat violence on grounds of sexual orientation and gender identity* designed between 2020 and 2021 as part of a much broader governmental initiative to tackle the COVID-19 emergency. The plan was allocated €4 million, and it mandated the funding of shelters for victims of LGBT+ violence across the country to address the housing emergency exacerbated by the pandemic.

The last attempt to date to design a coherent and comprehensive policy came with the *2022-2025 National LGBT+ Strategy*. This program is the most ambitious initiative in terms of areas of intervention. Though not explicitly developed in close association with any European institution like the 2013 Strategy, the 2022 program is unequivocally a by-product of a European policy reference. Not only is the *2020-2025 European LGBT+ Strategy* taken as a model and referenced, but its structure is also directly mirrored.

The ideational transition from an antidiscrimination paradigm to one that is equality-based and its resulting policies form the backdrop to Italian policy stance and instruments. This invites reflection on Italy's position and ideational foundations within both its national and the broader European policy frameworks. Still, one should not fail to remember that the different developments at the European level interact in various fashions with domestic contexts based on the type of legal and policy instruments that supports them. While primary and secondary law is binding, soft law can only guide but not constrain governments, allowing for different degrees and modalities of import, resistance, and negotiation within national contexts. The non-binding nature of this European framework could even be considered a key factor that left room for organized protests against government endeavors to adopt LGBT+ policy programs which were not strictly linked to constraining directives or resolutions (Verloo, 2018). Unlike the LGBT+ policies analyzed in this article, it is noteworthy that the adoption of marketplace-related sexual orientation antidiscrimination laws did not face opposition from conservative social movements. This was demonstrated in the 2010s by rather proactive domestic policies put on the agenda, elaborated and implemented within the European framework (Ayoub, 2015), yet not always supported by binding primary and secondary EU laws.

4. Data and Methods

We focus our attention on the three major policy programs developed in Italy in the last decade, since they were an attempt to provide a coherent vision of LGBT+ public intervention and allow us to harvest the ideational premises of Italian LGBT+ policymaking. The aims of the analysis are threefold: to marshal the ideational coordinates plotted by the three pieces of policy, to situate their relative positions with respect to each other and to European paradigms, and to understand to what extent they are influenced or substantively determined by said paradigms.

To operationalize the analysis, we borrow a tool from Bacchi's *Analysing policy: what's the problem represented to be?* (2009) and adapt it to our research. In challenging policy analysis oriented around problem-solving, Bacchi argues that solutions are implicitly revelatory of what is regarded as problematic by policymakers. She develops a set of six questions that illuminate how single policies draw on specific problem representations (Bacchi, 2012a). This instrument is germane to our work because on the one hand, the *representation* of LGBT+ issues is where the ideational quality comes to the fore and on the other, it provides a consistent grid for comparing different policies. However, the original set of questions is not perfectly suited to the analysis we are pursuing for two reasons. First, it entails both a descriptive and a normative dimension, the latter being irrelevant to our research ends. Second, it explores three aspects of a policy: the representation per se, its origins, and its effects. The third aspect exceeds the scope of our analysis. We thus decided to exclude the questions that sit outside of our research perimeter, and to orient the analysis around the remaining themes.

The first question that guides our analysis explicitly concerns problem representation. Intervening in the literature on gender equality in Europe, Mieke Verloof and Emanuela Lombardo identify several dimensions that constitute policy frames and suggest the analysis of two dimensions: *diagnosis* and *prognosis* (2007). These two concepts work in tandem to illuminate what is represented as problematic and invite us to be attentive to the representations that emerge through specific problem-solution pairs. We therefore operationalize the first query by articulating the answers along the categories of diagnosis and prognosis.

The two subsequent questions both attend to policy origin, and most importantly to the representations it foregrounds. Here, it seemed necessary to account for two factors.

The overview on Italian LGBT+ policymaking hinted at the influence of European institutions and EU funding, and at much broader conjunctures like the pandemic in the initiation of the policy design process. It is fundamental to highlight that such interactions are not inconsequential details, but rather factors that can stir the domestic policy trajectory (Alonso et al., 2023). In our case, accounting for these factors is crucial, since the very policy documents include them as integral to their problem representation.

A second element deserving heightened attention is the role of the dialogue with LGBT+ groups, understood as an epistemic community. The notion of epistemic communities, introduced by Peter Haas, designates a network of experts that can make "authoritative claim[s] to policy-relevant knowledge within [a] domain" (1992, p. 3). Coined to describe scientific actors, the term expanded to include non-scientific ones and highlight their role in both phases of problem definition (diagnosis) and solution

(prognosis) (Béland & Haelg, 2020). It also gestures to the transnationality of knowledge circulation within expert circles (Meyer & Molyneux-Hodgson, 2011). This notion is germane to LGBT+ associations and groups (Paternotte, 2011) because it stresses their role without deflecting attention from the fact that their influence is dependent on the proclivity of decision-makers to afford it to them (Béland & Haelg, 2020). Finally, it invites us to consider that the knowledge they supply is collectively constructed and turned into political action (Akrich, 2010). To think of LGBT+ groups as an epistemic community and of their role in the ideational origins of LGBT+ policy programs affords a sharper insight into the three selected policies.

Finally, though the overarching focus of this article is on the ideational dimension, it seemed reasonable to add a final question that departs from it and pushes us to reflect on how ideation is linked (or not) to implementation, and especially to funding.

We carried out the analysis of the three policy programs through the following set of questions:

Q1: What is the problem represented to be in a specific policy or policies? (Articulated in terms of diagnosis and prognosis);

Q2: In what national and transnational conditions was the policy produced?;

Q3: What institutional arrangement birthed the policy? What role did LGBT+ groups play?;

Q4: Was the policy operational until its due term?

The official documents of the three selected policies are used as main sources and constitute the centerpiece of our documental corpus. However, we also rely on a series of other institutional documents produced in relation to the policies, their design, and their implementation, or that reported on their advancement before the government or Parliament.²

5. Results: is there a represented problem?

To present a detailed analysis, each policy program is treated separately across the four questions. The final section provides general conclusions derived from the juxtaposition of the individual observations.

Q1. Problem representation. The documents showed a tendency to articulate the diagnosis of the policy problem across three areas. They identify a first site of problem diagnosis in Italy's position with respect to external standards. They produce problem representations regarding the (im)possibility of properly measuring and apprehending LGBT+ inequalities as a phenomenon. Finally, they formulate diagnosis regarding specific policy areas. Given the recurrence of these three sites of problem identification, the diagnosis side of the analysis is articulated along these three axes, while the prognosis side is treated unitarily as no recurrent internal structures emerged. To facilitate the analysis, the responses to Q1 are summarized in the tables 1-3.

The analysis of the three documents highlights that a primal source of concern lies in Italy's position with respect to external standards: the country is represented as providing inadequate legal, administrative, and social intervention and portrayed as a

² See Appendix for the list of sources on which the research relies.

context that is generally lagging behind European and international standards. Furthermore, the 2013 and 2022 Strategies are explicit in diagnosing a difficulty in tackling LGBT+ disenfranchisement because of insufficient data. They signal the impossibility of accurately apprehending discrimination as a social phenomenon since measuring tools are absent or inadequate. However, the two documents differ insofar as the latter makes claims on the dearth of data mostly in two policy areas whereas the first one signals across-the-board issues. The 2020 Plan, though it dispenses with diagnosing an inadequate measuring of the phenomenon, relies exclusively on the data produced by international institutions, implicitly exposing national deficiencies. When it comes to the diagnosis in specific policy areas the most striking difference is between the 2020 Plan and the two other policy documents. The two strategies (2013 and 2022) tend to represent LGBT+ discrimination as a cultural phenomenon: a lack of social legitimacy that is mostly to be fixed through awareness and knowledge building activities. By contrast, the 2020 Plan, considering its more restricted scope, describes discrimination as a more material process articulated through broader social exclusions and most violently instantiated in the lack of housing and access to work.

Given the different diagnostic patterns, the prognoses reproduce some of the divisions that were just highlighted. The first strategy presents numerous interventions, though they mostly fall under data collection or awareness rising. The second document has an extremely limited policy area that it invests with one single concrete measure. The last strategy is the broadest in terms of scope of action since it seeks to encompass all “main areas of people’s lives” (p. 8). The measures it foregrounds are closer to the ones designed in 2013; however, a greater variety must be noted.

Q2. National and international backdrops. As previously suggested, the 2013 Strategy was designed in a situation of perceived legal and political backwardness with respect to international counterparts. As a matter of fact, the document is presented as a corpus of “measures on the administrative level, which, regardless of an incomplete legal framework, can support national and local policies on the matter in compliance with international and European obligations” (p. 6). Most importantly, the document resulted from a process of cooperation between the Italian government represented by UNAR and the Council of Europe. Following the 2010 resolution and recommendation, the CoE launched the initiative “Combatting discrimination on grounds of sexual orientation or gender identity”. It was designed to provide technical and financial support to some member states to promote the adoption of antidiscrimination policies. It sought to help partner countries develop training for policymakers and institutional actors, mechanisms to increase the protection of LGBT+ people, analyses of national legal instruments, and exchanges with other partner countries. Though policy design involved other actors, the 2013 Strategy was initiated in a context of perceived inadequacy and concretely developed under the impulsion of the CoE.

The 2020 Plan is a program fleshed out from a subsection of a much broader governmental decree approved in August by the second government led by Giuseppe Conte. The decree encompassed all the measures passed to face the social, economic, and health emergency caused by the outburst of the Covid-19 pandemic in Italy. Not only was the anti-violence plan designed at a moment of acute urgency, but it was also allocated funds during a period of unprecedented public spending. By the time the governmental

decree was issued, the Parliament had already voted for two extraordinary budgetary slippages, and the government was in close contact with EU institutions as well as member states to secure EU economic intervention through instruments that would later come to be identified in the Recovery Fund and NextGenerationEU (Cavatorto et al., 2021).

Finally, the 2022 LGBT Strategy saw the light under two governments: the second Conte government and the one led by Mario Draghi. The Minister in charge of the Department of Equal Opportunities (Elena Bonetti) remained unchanged. Having arisen from very different political and institutional needs, the two governments were appointed with partially comparable intentions since they both tried to show a more “responsible” face than their predecessors and both attempted to maintain appeased relations with EU institutions. Conte found himself negotiating on the EU response to the crisis (Cavatorto et al., 2021), while Draghi had the explicit mission of guaranteeing Italy’s compliance with EU requirements to unlock the tranches of the recovery fund (Guidi & Moschella, 2021). It is against this backdrop that the LGBT+ Strategy that most explicitly draws on EU policies was designed and approved, in parallel with important interventions in the field of gender equality (Donà, 2022).

Q3. Institutional arrangement and LGBT+ groups. The policymaking journey of the 2013 Strategy was inaugurated in February 2012 by a conference in which the Minister of Labor and Social Policy launched the Italian branch of the CoE program before national and European institutions. It was followed by meetings involving UNAR (national focal point for the strategy) and other institutional stakeholders such as the Italian UNHCR representative, the Senate Human Rights Commission, the National Press Association, and some LGBT+ associations. Throughout the development of the strategy, UNAR took part in international workshops organized by the CoE LGBT Unit with the countries involved in the program (i.e. Albania, Latvia, Montenegro, Poland, and Serbia) in September and December 2012. UNAR equally joined the March and September 2012 meetings of the national LGBT focal point informal network. Alongside the CoE workshops and meetings that supplied UNAR with technical support, between June and December 2012 procedures were undertaken to set up a working table constituted by LGBT+ groups. These efforts culminated in a December 2012 meeting where 29 LGBT+ associations discussed the general orientation of the strategy and worked on four thematic workshops, one per area of intervention of the final document. The first draft was drawn up in the following weeks and the final version first presented in late April 2013. It can be argued that LGBT+ groups were consulted; however, the policy design remained resolutely in the hands of UNAR, which itself largely benefitted from international support and only interfaced with LGBT+ associations on one intermediary occasion, once the general imprint had already been given but the technical details were yet to come.

The 2020 Anti-Violence Plan has a strikingly different institutional genealogy. On May 19, 2020, the government passed decree-law number 34 on “Urgent measures on health, labor and economic support, as well as social policies related to the epidemiological emergency from COVID-19”. The law comprised more than 250 articles, one of which – art. 105 *quater* – allocates €4 million to a program aimed at combatting violence based on sexual orientation and gender identity. It equally mandates that the

support program should provide legal, health, psychological, and social assistance to victims of violence and discrimination. In mid-December 2020, Minister Bonetti officially set up the program. The document mentions that the Equal Opportunity Department shall “ensure, in its drafting, appropriate forms of consultation with associations working in the field”. However, no contact was in fact made with LGBT+ groups regarding the design of this measure. In early March 2021, UNAR issued a public notice to select the shelters that would be beneficiaries of the funding, rapidly ushering in the implementation phase. It is safe to contend that, triggered by a precisely defined governmental orientation, the Department for Equal Opportunities was the actor that mostly contributed to the policy journey of the 2020 Plan.

The 2022 National LGBT Strategy had a different institutional journey. It was inaugurated in May 2020 by the first meeting of the permanent LGBT+ working table gathering 66 LGBT+ associations, where the initiative was officially announced. Between July and September, the permanent working table was split into topic-specific workgroups which were consulted twelve times during the trimester to collect their input on the objectives and measures of the program. A second plenary meeting with the permanent table was held in March 2021. This initial phase was followed by the work of other bodies involved in the design, namely the control board and the technical board. In December 2021, a third plenary session was held where the final draft was presented. The process was closed two weeks later by a final Control board meeting. In this case, LGBT+ groups were integral to the elaboration of the policy. Not only were they more numerous than on any previous occasion, but they were consulted on many occasions and at different stages of the design process, though more intensely at the beginning. It seems that they acquired a clearer role insofar as UNAR provided a general working framework, a method, and technical expertise while LGBT+ groups were entrusted with fleshing out the policy axes within the set perimeter.

Q4. Policy operationality. The first national strategy was an articulate project covering four different policy areas, each registering a significant number of measures, intended to operate over a three-year span (2013-2015). However, only three initiatives from the strategy were implemented. In 2014, six training periods (6-9 hours each) were held to raise awareness on LGBT issues among civil servants involving 140 people in total. In the same year, two experimental projects were financed: one was developed by the Transsexual Identity Movement (MIT) and consisted in training on LGBT+ issues for prisoners and prison personnel; the second one was brought by the Arcigay association to set up help desks and counselling options for trans people. Nothing else from the strategy seems to have been put into action either that year or in 2014 and 2015. One of the reasons behind this lack of implementation is surely the fact that between 2013 and 2014 a strong mobilization of Catholic and pro-life actors (such as Family Day, ProVita Onlus and Giuristi per la Vita) launched several campaigns against so-called “gender ideology” allegedly promoted by the “LGBT lobby” (Lavizzari & Prearo, 2019). One of these campaigns specifically targeted an action stemming directly from the 2013 Strategy: the distribution of three educational booklets addressed to schoolteachers to update their knowledge on issues related to sexual orientation and gender identity among children and teenagers. Responding to this anti-gender campaign, the Ministry stopped the distribution of these booklets in early 2014. From this point on, there are no

other traces of implemented measures from the Strategy, which seems to have been *de facto* suspended.³

The implementation pattern of the 2020 Plan is more straightforward. From its inception the program, with its limited area of intervention (i.e. shelters), was set up in tandem with precisely defined funding and seemed geared toward its translation into action. The plan was taken up by the Department of Equal Opportunities in December 2020, the public notice to select the recipients was issued in March 2021, and in November 2021 the final ranking of beneficiaries was made public and showed that the entirety of the funding was to be distributed.

Finally, the operational follow-up to the 2022-2025 strategy is quite clear as well, though in the opposite direction. The policy was entirely developed under Minister Bonetti, who maintained her role from the second Conte-led government through the Draghi-led one and supervised the final policy elaboration stages in late 2021. However, the Draghi government fell less than a year later, in October 2022.

The new right-wing government appointed a new minister, Eugenia Maria Roccella, who is herself an exponent of anti-gender mobilization and holds personal and political ties with anti-gender campaigners (Prearo, 2024b). She subscribes to a feminist genealogy known as “pensiero della differenza”, a perspective also adopted by groups that self-identify as “radical” feminists. This particular stream within Italian feminism (re)emerged prominently in the public arena amidst the debate on the so-called Zan Bill (2020-2021), compounding the already existing anti-gender movement’s narrative on “gender ideology” with a “gender-critical” stance. The primal concern of these contentious feminist-gender-critical actors is the self-determination of gender identity, leading to their frequent designation as trans-exclusionary (Cabral Grinspan, Eloit, Paternotte & Verloo 2023) or anti-trans (Prearo, 2023). In spring 2024, Minister Roccella, in collaboration with Health Minister Schillaci, took action against gender-affirming care for trans minors, and was supported by both anti-gender movements and activist groups identifying with gender-critical and anti-trans feminism. The aftermath of the discursive and political convergence during the debate against the Zan Bill highlights the significant role these movements play as pivotal actors within the Italian socio-political and partisan landscape – especially on the right (Reinhardt, Heft & Pavan, 2023; Graff & Korolczuk, 2022). It is not hard to imagine that the LGBT strategy was not given operational continuity, even though UNAR has – at least temporarily – stopped publishing its annual reports, which makes it harder to track the advancement of the Strategy.

Besides the frameworks built by the three policy programs and their varied degrees of implementation, it is important to draw attention to the fact that the initiatives that are recurrently funded by UNAR are those set up following the agreement with PON *Inclusione* in 2016. Most, if not all of them, were merged into the 2022 Strategy to weld them to a more comprehensive strategic policy. Though it is impossible to claim with certainty given the lack of recent reports, it is likely that those projects are still in place.

³ Few national newspapers addressed this story: online research generally directs to partisan anti-gender resources, such as: Redazione, *Bloccati i libretti Unar. Le associazioni lgbt attaccano Bagnasco e il Governo*, Tempi, 05 April 2014. URL: <https://www.tempi.it/bloccati-i-libretti-unar-le-associazioni-lgbt-attaccano-bagnasco-e-il-governo/>.

Table 1. National LGBT Strategy: 2013-2015.

Diagnosis			Prognosis
National position with respect to external standards	Measuring of the phenomenon	Diagnosis on specific policy areas	
• Insufficiency of national legal instruments. • Lack of compliance with international and European standards.	• Across policy areas, there is a lack of tools to measure, describe, and understand the scale and nature of discrimination.	• Problem at the level of the perception of homosexuality. • Lack of knowledge and awareness of LGBT+ issues across all policy areas. • A cultural shift needs to happen so that LGBT+ people can gain more social legitimacy. • Therefore, LGBT+ phobias are a cultural problem.	Two main types of action: • General awareness-raising activities, training of specific actors, workshops. • Initiatives to improve monitoring and measuring of LGBT+ discrimination in different areas. Some exceptions: • Measures to improve professional and workplace inclusion of LGBT+ people. • Measures to encourage hate crime victims to press charges. • Introduction of counselling options in prison. • Facilitate access to gender-affirming hormone treatment.

Source: authors' own analysis.

Table 2. Program to prevent and combat violence on grounds of sexual orientation and gender identity: 2020.

Diagnosis			Prognosis
National position with respect to external standards	Measuring of the phenomenon	Diagnosis on specific policy areas	
• National average of LGBT+ social and housing inclusion is well beneath European standards.	• No specific claims made over the lack of tools to measure the phenomenon; however, only European surveys are mentioned (Eurobarometer, ILGA, FRA).	• LGBT+ people are particularly exposed to social exclusion, especially housing emergency. • Social inclusion is predicated on access to a house and to work. The lack of these two is a hindrance to personal autonomy and self-determination. • These predicaments are exacerbated by the Covid emergency.	• Support new or existing anti-violence centers and existing LGBT shelters to give both concrete help to victims of violence and discrimination and to face the LGBT housing emergency. • These structures should provide assistance in these areas: legal, health, psychological, information/workshops, counselling, professional inclusion.

Source: authors' own analysis.

Table 3. National LGBT+ Strategy: 2022-2025.

Diagnosis			Prognosis
National position with respect to external standards	Measuring of the phenomenon	Diagnosis on specific policy areas	
Europe is explicitly the reference and benchmark of the strategy. Implicitly, it signals the inadequacy of national measures to that point.	Lack of tools to collect sufficient and precise data, especially in the fields of Public Health and Security.	- The section providing the general orientation of the strategy is replaced by a detailed explanation of the latest EU LGBT+ Strategy. - However, the document diagnoses a general lack of knowledge and awareness of LGBT+ people and issues; a national backwardness concerning diversity management in the workplace; an inadequate preservation and showcasing of LGBT+ cultural heritage.	Three main types of action: - General awareness raising activities, training of specific actors, workshops - Initiatives to improve monitoring and measuring of LGBT+ life experience in different areas - To a lesser extent, but still recurring: actions to facilitate network building between different institutions and stakeholders. Some exceptions: - Guaranteeing access to gender-affirming hormone treatment for trans people in jail - Facilitate access to health services for LGBT+ people (especially Trans) - Funding of anti-violence centers and shelters. - Support towards a national LGBT+ archive. - Support for trans entrepreneurship

Source: authors' own analysis.

6. Discussion and conclusion

Reading the data through the prism of policy paradigms can help us make sense of this discontinuous trajectory. More specifically, it is worth wondering how determinant the European models of antidiscrimination and equality are in Italy. The first strategy appears to embrace the ambition of functioning not only in an antidiscriminatory, strictly reparative fashion, but rather in a way that encompasses different domains with a proactive, equality-inciting action. Similarly, but more acutely, the last LGBT+ strategy falls resolutely under the equality paradigm. The patent mirroring of EU policies, its much broader ambition to reach all areas of life, as well as explicit reference to *mainstreaming* as a modality of action undoubtedly situates it further away from an antidiscrimination paradigm. By contrast, the 2020 plan presents a restricted area of intervention and is marked by an emergency-driven character mobilized around the immediate purpose of repairing acts of violence. It thus appears as the intervention that most neatly responds to an antidiscrimination model.

Two factors emerge as conducive to specific policy paradigms. First, we can observe that the *involvement (or lack thereof) of LGBT+ groups* does seem to make a difference in ideation. In the design processes where they were included, the strategies map more accurately on an equality paradigm. A much higher degree of involvement (2022 strategy) has yielded the policy output that best fits the (EU) equality framework. Conversely, the plan that saw the light in isolation from non-state actors shows a markedly different paradigmatic categorization. Second, *European influence* appears as an equally decisive factor insofar as direct engagement in the corridors of policymaking (2013 strategy) or passive, yet unambiguous inspiration (2022 strategy), set the two national LGBT strategies apart from the 2020 plan.

Table 4. Overview of national LGBT+ policies: 2013, 2020, 2022.

	2013 LGBT Strategy	2020 Program	2022 LGBT+ Strategy
Policy paradigm	Leaning towards equality	Antidiscrimination	Equality
National context (Q2)	Perceived backwardness with respect to international actors	Emergency spending due to the pandemics	Quest for government respectability
Influence of European actors (Q2)	Designed within Council of Europe program	None	Heavily inspired by EU policies
Involvement of LGBT+ groups (Q3)	Secondary	None	Substantial
Implementation (Q4)	Few measures implemented in initial phase, de facto discontinued	Implemented	Not implemented

Source: authors' own analysis.

The last question illuminates that the only measure that received substantial financial backing and was operational in the capacities settled upon its approval is the one that was devised in severance from non-national, non-state actors and that subscribed to an antidiscrimination framework. More importantly, it seems that these conditions are shared

by the other projects that did receive funding in recent years, namely those tied to PON *Inclusione* which are not subsumed under the ambition of more elaborate policies.

We propose a schematic overview of the findings in table 4. Overall, a general picture seems to lie before us. When associations are involved and European institutions exert influence, the policy result is closer to the equality paradigm and has a much broader scope of intervention. However, these strategies are more contested and much less operational. Conversely, the absence of LGBT+ groups and European influence yields policy interventions akin to the antidiscrimination paradigm, projected towards a restricted scope, but encountering less friction and benefitting from sizable financial means.

While in Europe the notion of policy paradigm signals a trajectory where one set of representations supplants or integrates another, in Italy the two frameworks coexist simultaneously and seem to respond to different inputs, as demonstrated by the fact that the drawing up of the 2020 Plan and the 2022 Strategies started almost simultaneously. In situations that are perceived as urgent, where action feels much needed and emphasis is put on implementation, antidiscrimination appears as the established, readily available framework. If we take policies at their word, we could say that equality paradigm informed policies fail because, unlike antidiscrimination ones, they set more ambitious objectives but fall short of executing them. However, we could shift the perspective and, paraphrasing James Ferguson, consider that “what is most important about a [policy] is not so much what it fails to do but what it does do” (1994, p. 254). In this light, the equality paradigm could be fulfilling a different function because it is mobilized as a more symbolic framework whose primary purpose is to respond to both endogenous (LGBT+ and anti-LGBT+ groups) and exogenous (European) pressure. We call it a “symbolic” function to stress that the policy does attend to a political need, but not through measure implementation. The policy is not a means to an end, but an end in itself. In other words, we could argue that the objective of the 2020 Plan was to actually fund LGBT shelters. On the contrary, the very *elaboration* of the 2013 and 2022 strategies was an objective in and of itself. It appears safe to contend that their very existence as official documents achieves the primary symbolic result of providing Italy with an LGBT strategy, while their actual implementation is regarded only as secondary because it exceeds – at least partially – the *raison d’être* of those public interventions. To put it differently, we could argue, for instance, that the primary intended goal of the 2022 Strategy, though never implemented, was simply to exist as such, not to yield concrete measures.

To conclude, in this article we have explored the role of policy paradigms in the trajectory of LGBT+ policies in Italy, focusing on three major policy programs: the 2013 LGBT Strategy, the 2020 Antiviolence Plan, and the 2022 LGBT+ Strategy. We have found that the European models of antidiscrimination and equality have a significant influence on the Italian context, but they do not follow a linear path. Rather, they coexist simultaneously and respond to different inputs, such as perceived urgency, availability of funding, involvement of non-state actors, and pressure from EU institutions. We have also found that policy paradigms have different functions and effects, depending on their symbolic or practical orientation.

Our analysis contributes to the literature on LGBT+ policies and politics, offering a novel way of understanding the role of policy paradigms and the dynamics of policy change with respect to sexual orientation and gender identity, considered and experienced as highly contentious public problems. Further research could benefit from a broader analysis to include other sources and capture how LGBT+ issues are addressed by social, political, and

institutional actors, for instance during legislative or parliamentary debates, as in the recent case of the Zan Bill (Feo, 2022). Comparative research within the European context could also expand our understanding of the role of European frameworks in domestic contexts and thus refine our appreciation of how paradigm shifts in LGBT+ policymaking occur (or not), and what role social, political, and institutional actors play in stimulating or opposing them.

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Appendix

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