State of Emergency

Italian democracy in times of pandemic

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Introduction: Italian democracy in times of pandemic

DAMIANO PALANO[1]

In August 1943, returning to collaborate with the "Corriere della Sera" after the fall of Mussolini, Luigi Einaudi opened one of his articles with an eloquent "heri dicebamus". For the Italian economist, starting by recalling what "yesterday we were saying", meant to claim consistency with the positions held before the long parenthesis of the dictatorship. At a later date, Benedetto Croce also coined the same expression: his intention was to celebrate the end of the "invasion of the Hyksos" which had plunged Italy into barbarism. But many read in that formula an attempt to liquidate, appearing to consider fascism as a parenthesis devoid of significant connections with Italian history. By writing "heri dicebamus", Croce seemed to want to forget the twenty years of fascism, without asking himself whether the dictatorship had had roots in the institutional events and culture of the country itself and, therefore, whether the liberal political class and world of intellectuals had been responsible for the dictatorship's genesis.

When we have finally left the Covid-19 pandemic behind us, we too will probably be strongly tempted to pronounce a

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sort of collective "heri dicebamus". To gain some satisfaction from having rid of ourselves of all those annoying limitations that accompanied us for so long. Indeed, we would be rather naïve if we really considered the health emergency as a sort of parenthesis to be forgotten, because it is plausible that the shock of the pandemic will change the agenda of States and the repertoire of their operational tools. It is also possible that our responses to the spread of the virus will leave deep traces on our political institutions, our societies and perhaps even our daily behavior.

First of all, the health emergency has in fact shown us the world – perhaps for the first time – from a truly "global" perspective: a perspective in which new strategies for action are indispensable yet destined, in turn, to generate conflicts (outside and inside States). The eruption of the pandemic on the world stage has brought to light problems that, in the age of global technical unity, actually involve all humanity and which cannot be kept outside national borders.

Secondly, the pandemic has also shown, once again, the difficulties of cooperation between States, even in the face of such a dramatic emergency. "All the positive and bright aspects of interdependence (a world without borders, characterized by wide margins of freedom and ability to move, opportunities for choice, cultural pluralism)", wrote Vittorio Emanuele Parsi, reflecting on the consequences that Covid-19 was producing, "have blurred, have become impalpable or impracticable"; and that same interdependence, which only yesterday seemed to us such a precious achievement, "presented us with the bill, showed us its dark side, in front of which we feel as lost and powerless as men and women from the fourteenth century" (Parsi, 2020). The worldwide spread of the virus – which, in the space of a few weeks, had disseminated from the Wuhan fish market to almost every corner of

the world – has in fact made it clear, with the brutality we have come to know, that the other side of interdependence is a condition of constant fragility. Within this new framework, all the lines of tension that have been wearing down the architecture of the liberal international order for decades have fatally resurfaced with the current crisis – together with any future consequences – potentially leading to a definitive breaking point. It is precisely the awareness of the risks associated with this condition that could trigger an energetic reaction on the part of States (or at least by States with greater capabilities), which may seek to reduce their dependence on the outside world, thus putting at risk the very liberal order our democracies have nurtured over the past seventy years.

It is not the first time that the shadows of an abrupt halt in economic development have gathered over the West, with futurologists painting a catastrophic scenario of general systemic crisis. Even in the early 1970s, the prospect of a dramatic implosion suddenly materialized before Western societies. History suddenly seemed to deviate from the path that, until then and for at least five centuries, had incessantly directed the world towards the prospect of a constant improvement in social conditions, scientific knowledge, and technological tools. The conclusion of what appeared to be the unstoppable march of "Progress" seemed to many a prelude to the start of an era of barbarism and anarchy. Due to the combined effect of the spread of new technologies and the explosion of political violence, some believed that the Western world was destined to proceed towards a sort of "new Middle Ages" dominated by insecurity, conflict and scarcity. In a pamphlet of 1971, Roberto Vacca provided, for example, an emblematic illustration of this prediction, in which the pieces of a disturbing mosaic were composed. The coincidence of a blockage of railway connections and traffic jams produced – in this fu-

turological scenario – a series of disastrous consequences on transport and telecommunications, which were followed by violent reactions, clashes and devastation, which however constituted only a first step towards the anarchy destined to emerge later. When things gradually subsided after the crisis, autonomous political systems emerged in the place of the old sovereign states, with mercenary militias and an autonomous administration of justice, destined to organize themselves into a feudal structure. In other words, a new political and economic order seemed to be emerging, with many elements in common with the centuries that followed the dissolution of the Empire, in which there was a dizzying increase in violence, a drastic contraction in trade and a general technological stasis (Vacca, 1971). The analogy with the Middle Ages, at the center of that discussion, was rather questionable, as Umberto Eco (1973) observed at the time. In any case, as we know, the story has gone in a very different direction. The West did not plunge into a "new Middle Ages" and, on the contrary, a massive process of transformation has made the planet enormously more interdependent than it was in the early 1970s.

Today, too, the eruption of the Covid-19 pandemic seems able to halt the march of that globalization which, especially since 1989, had seemed almost unstoppable (Caruso and Palano, 2020). The return of war in Europe, after a two-year pandemic, also seems to cast a shadow over the prospects for economic recovery in the Old Continent and, in particular, the energy transition projects drawn up by the European Union. Some observers predict a more conflictual, disunited and hard-to-govern world in the future, but it is not certain that, even in this case, any news of an end to globalization – or of a crisis in the liberal international order – will not prove over time "greatly exaggerated", to use the famous words with

which Mark Twain commented on the 'untimely' news of his death. In other words, it is by no means certain that the crises we are going through will actually hit the liberal order and globalization in a feral way, and it will therefore be up to scholars to identify the directions that world politics and economics will really take. Nevertheless, we would be naive to seriously consider the hypothesis that changes in course cannot have negative implications for the state of our democracies, if they cannot help push the world towards an autocratic drift and are unable to weaken the most ancient Western democracies (Brown, Brechenmacher and Carothers, 2020).

Democracy under global change

In the speech given in December 2021 in Athens, on the occasion of his apostolic journey to Greece, Pope Francis used the words with which Saint Gregory of Nazianzo, in the sixth century AD, had celebrated the Greek city, "golden and giver of good". Speaking from the places where the Western idea of democracy was born, the Pontiff also formulated a diagnosis of the condition in which Western political systems find themselves today and in particular used words that deserve to be remembered:

> Yet we cannot avoid noting with concern how today, and not only in Europe, we are witnessing *a retreat from democracy*. Democracy requires participation and involvement on the part of all; consequently, it demands hard work and patience. It is complex, whereas authoritarianism is peremptory and populism's easy answers appear attractive. In some societies, concerned for security and dulled by consumerism, weariness and malcontent can lead to a sort of skepticism about democracy. Yet universal participation is something essential; not simply to attain shared goals, but also because it corresponds

> to what we are: social beings, at once unique and interdependent.
> At the same time, we are also witnessing a skepticism about democracy provoked by the distance of institutions, by fear of a loss of identity, by bureaucracy. The remedy is not to be found in an obsessive quest for popularity, in a thirst for visibility, in a flurry of unrealistic promises or in adherence to forms of ideological colonization, but in good politics. For politics is, and ought to be in practice, a good thing, as the supreme responsibility of citizens and as *the art of the common good*. So that the good can be truly shared, particular attention, I would even say priority, should be given to the weaker strata of society. This is the direction to take. One of Europe's founding fathers indicated it as an antidote to the polarizations that enliven democracy, but also risks debilitating it. As he said: "There is much talk of who is moving left or right, but the decisive thing is to move forward, and to move forward means to move towards social justice" (A. De Gasperi, *Address in Milan*, 23 April 1949). Here, a change of direction is needed, even as fears and theories, amplified by virtual communication, are daily spread to create division. Let us help one another, instead, to pass from *partisanship to participation*; from committing ourselves to supporting our party alone to engaging ourselves actively for the promotion of all (Pope Francis, 2021).

Recognizing the trend towards a "*retreat from democracy*" and underlining that the threat of "skepticism about democracy" is eroding democratic institutions, Pope Francis has in fact welcomed the theses proposed by many contemporary political scientists. Although the Western imagination since 1989 has lived at the "end of history", in the last thirty years there has been no lack of critical diagnoses on the state of democracy and on the "broken promises" of the democratic project. Especially after the euphoria of the "roaring" Nineties (dur-

ing which many scholars had confided too optimistically in a planetary diffusion of the liberal democratic model and in the birth of a sort of democratic "Cosmopolis"), a copious harvest of critical readings on the health condition of Western political systems has indeed accumulated (Dalton, 2014; Galli, 2011; Macedo, 2005; Mastropaolo, 2011; Skocpol, 2003; Urbinati, 2014). In many ways, it has become almost commonplace to start any discussion on these issues by highlighting the paradox that, since democracy won its battle against its historical adversaries – and, thus, became the "only game in town" – mistrust, disaffection and (in some cases) even contempt towards the political class, parties and representative institutions have begun to spread through Western societies. From time to time, authoritative voices have, for example, signaled the "malaise of democracy", its "malaise" or its "crisis". Articulating an even more pessimistic interpretation, some have also invited us to glimpse – beyond the apparent continuity in external forms – the signs of an "oligarchic" twist, of a pronounced transformation towards real "elective autocracies", or even a shift towards the pole of an historically unprecedented "post-democracy" (Bovero, 2000; Crouch, 2003; Salvadori, 2009). And it is hardly surprising that, after the outbreak of the global economic crisis in 2008, the pessimistic diagnoses multiplied further, not least because it became quite obvious that much of the enthusiasm of the 1990s had been based on a simplistic assessment – and in some cases, a true distortion – of the processes of globalization, and how what had appeared as the planetary triumph of liberal democracy now, rather, risked prefiguring the "end of equality" (Parsi, 2012). The erosion of the middle class, the polarization of incomes and the growth of inequality, for example, risk changing the relationship between democracy and the market that had been defined in Roosevelt's New Deal. For

example, according to the interpretation proposed by Wolfgang Streeck (2013), the foundations of post-war "democratic capitalism" have been eroded by the neoliberal revolution that began in the early 1980s, and – as a result of this attrition – a clear divergence emerged between the logic of capitalism and that of democracy. In an even more radical way, according to Pierre Dardot and Christian Laval (2016), the roots of the crisis that exploded in 2008 are to be found in the "neoliberal" turning point, which allegedly affirmed a structurally undemocratic logic aimed at "removing the rules of the market from the political orientation of governments" and replacing them with "inviolable bonds that would be imposed on any government regardless of the electoral majority from which it arose".

Many readings devoted to the "malaise" or "crisis" of democracy proposed over the last thirty years have highlighted processes that are difficult to contest, such as, in particular, the decline of political participation, a decline in the role of large mass organizations, an increase in distrust toward the political class and institutions, the "depoliticization" of many important decision-making areas, the downsizing of the welfare state, and the "commercialization" of citizenship. Beyond the individual aspects that attract attention and the specific positions of scholars, all of these diagnoses tend to adopt a similar argumentative logic: that is, they start from an ambitious image of democracy, to indicate how, in the reality of contemporary political systems, many of the constitutive ideals of the democratic project – primarily the equality, participation, and political education of the citizen – have been abandoned, largely neglected, or in some cases even debased. The "crisis", the extent of which is highlighted by many of these readings, is above all a crisis linked to the inability of democracy to keep its most demanding "promises". In other

words, in spite of a formal continuity in the procedures, the solemn promises of democracy seem to have been "betrayed" as a result of converging dynamics. Although fueled by the new dynamics experienced post-1989, and which exploded after 2008, this reasoning is therefore not very different from that articulated by the critics of "democratic elitism" in the 1960s, because, even in this case, the diagnosis highlights the gap between the high ideals of democracy and a practice that systematically betrays them. In other words, it denounces the fact that under the democratic 'form' – associated with the existence of political and information pluralism, the use of regular competitive elections, and a clear balance of powers – the 'substance' of a 'real' democracy is failing (Palano, 2015a; 2015b).

As is understandable, these interpretations are destined to accompany us for a long time, because the dismantling of the elements that have characterized the post-war democratic model for many decades are closely connected to the end of the "liberal international order", the decline of the United States' global hegemony, and the ongoing geopolitical and geo-economic transition. In recent years, however, the discussion on the fate of democracy has taken a new direction. Indeed, it is not too difficult to identify in 2016 a moment of rather radical change in the way of looking at the future of democracy. Events that were partly unexpected or, at the very least, surprising – such as the outcome of the referendum on the United Kingdom's exit from the European Union, the conquest of the White House by Donald Trump, the political rise of leaders such as Jair Bolsonaro, Rodrigo Duterte and Narendra Modi, and the success of populist parties in many European countries – have abruptly changed the perception of many observers, fueling their pessimism and giving form to dark shadows. As a result of the shock caused by unforeseen

events, the hypothesis of an authoritarian turnaround in consolidated democracies has returned to the scene. Some political scientists have therefore begun to ask themselves radical questions, wondering whether we are not faced with tensions that are eroding the cultural foundations, norms and practices on which Western democracies are founded, rather than mere physiological changes in individual national systems. They have, thus, begun to ask themselves whether, together with the aspirations for equality and emancipation cultivated in the twentieth century, the very 'form' of liberal democracy is facing substantial risks.

Beginning in 2016, many observers began to suspect that some sensational events – such as the victory of Donald Trump and the result of the Brexit referendum – represented the prelude to a "decline of liberalism", bound to undermine democratic systems (or sanction the advance of a threatening "illiberal democracy") (Inglehart and Norris, 2020; Levitsky and Ziblatt, 2019; Przeworski, 2020; Tuccari, 2019). The thesis proposing that a "recession" of democracy was underway, however, was put forward well before 2016, but with reference to the global perspectives of democratization processes rather than the internal structures of liberal democracies. According to Larry Diamond, the "recession" was, in fact, primarily due to the exhaustion of the so-called "third wave" of democratization, which began in 1974 and then exploded in 1989, with the dissolution of the socialist regimes in East Europe. It would, therefore, mainly bring a halt to the quantitative growth of democratic regimes across the world and a (less pronounced) decrease in the number of states complying with the 'minimum' requirements of a democratic regime. More precisely, Diamond identified 2006 as the moment when the "recession" began, because from that year, after twenty years of spreading democracy around the world, the

trend towards the overall increase of democratic regimes began to wind down, and then to reverse (Diamond, 2008; 2015).

The thesis of the "democratic recession" has also met with some serious objections, which invite us to reduce the extent of the deterioration (Palano, 2019a; Levistsky and Way, 2015). In recent years, however, various measurements on the state of democracy have confirmed the picture of an overall deterioration, which the pandemic has further aggravated. Freedom House's 2022 report on freedom in the world – eloquently titled *The Global Expansion of Authoritarian Rule* – reports, for the sixteenth consecutive year, a deterioration in the condition of freedom in the world (Freedom House 2022). According to the report, "a total of 60 countries suffered declines over the past year, while only 25 improved" (Repucci and Slipowitz 2022, p. 1). In general terms, therefore, 38.4% of the world population lives in "Not Free Countries", 41.3% lives in "Partly Free Countries" and, finally, only 20.3 percent lives in "Free Countries". The extent of the deterioration, which centers on the deterioration of the political situation in India in particular, is demonstrated by the fact that sixteen years ago the share of the world's population living in "Free Countries" was 46.0%.

If Freedom House confirms the thesis of a "democratic recession", similar indications are also provided by reports drawn up by other research centers (Idea, 2021; V-Dem Institute, 2022). In particular, the Democratic Index 2021 report prepared by the Economist Intelligence Unit also proceeds in a similar vein. According to the classification elaborated by this team, less than half of the world's population (45.7%) lives in democratic regimes: more precisely, 6.4% of the population lives in "Full democracies", while 39.3% lives in "Flawed democracies". This represents a significant deteriora-

tion from 2020 (49.4%). More than a third of the world's population (37.1%) lives in "Authoritarian regimes", which includes the People's Republic of China. Finally, 17.2% of the world's population lives in "hybrid regimes". For the second consecutive year, there is also a notable worsening of the global average score of the democracy index, which went from 5.37 in 2020 to 5.28 in 2021 (which also represents the worst result since the surveys began). While acknowledging the role of multiple factors, the report highlights the negative effects of the Covid-19 pandemic, which, in the first place, prompted governments to restrict individual freedoms and introduce vaccination regulations, and which, secondly, strengthened the "normalization" of emergency powers, both in democratic and authoritarian regimes. As the report states in decidedly stark terms:

> The results reflect the continuing negative impact of the Covid-19 pandemic on democracy and freedom around the world for a second successive year. The pandemic has resulted in an unprecedented withdrawal of civil liberties among developed democracies and authoritarian regimes alike, through the imposition of lockdowns and restrictions on travelling and, increasingly, the introduction of "green passes" requiring proof of vaccination against Covid-19 for participation in public life. It has led to the normalization of emergency powers, which have tended to stay on the statute books, and accustomed citizens to a huge extension of state power over large areas of public and personal life. [...] The global public health crisis has compounded many pre-pandemic trends, such as an increasingly technocratic approach to managing society in Western democracies, and a tendency in many non-consolidated democracies or authoritarian regimes to resort to coercion. In many countries, the pandemic has entrenched divisions between those who favor the precautionary principle and expert-driven decision-making (and

> have tended to support government lockdowns, green passes and vaccine mandates), and, on the other hand, those who favor a less prescriptive approach and more freedom from state interference (and have been more hostile to what they see as the curtailment of individual freedoms). The pandemic has had a negative impact on the quality of democracy in every region of the world, but some regions have fared far worse than others, with Latin America having suffered especially badly (The Economist Intelligence Unit, 2022, p. 3).

As difficult as it is to predict the future, the two-year pandemic crisis seems to have further aggravated the "democratic recession". Faced with the spread of the pandemic, the heads of government executives have not hesitated to address the population directly, using tools that – as far as required by the situation – have evidently limited the rights of the opposition and the balance of information. At the same time, the pandemic has led to a rapid extension of executive power because, in response to the rapid spread of the contagion, many governments have found themselves adopting measures with enormous implications – on the economy, society and almost every aspect of personal freedom – with no involvement of representative assemblies or any political discussion.

Restrictions have reduced or even suspended – in terms that European democracies had not known since the end of the Second World War – the rights of organization and demonstration, with the inevitable effects of suppression on the democratic space. In several countries (for example Italy, France, Spain, Serbia, the United Kingdom) some electoral deadlines have also been temporarily postponed. Many of these exceptional measures proved to be temporary, and, after the most dramatic phase of the pandemic, guarantees and rights have been restored; however, it still appears that the emergency has steadily contributed to strengthening the

trend towards centralization of power and tilting the institutional balance in the favor of executives. Limitations on freedom of expression have been justified as necessary measures to limit the circulation of fake news and to guarantee public health, so continuing a trend inaugurated a few years ago (Freedom House, 2021). A further threat – also related to the structure of pluralism and freedoms – is the use of big data and control technologies by institutions. Even though governments have behaved differently, the pandemic experience has nonetheless accelerated the use of tracking technologies, facial recognition and social media monitoring, and it is likely that at least some of these tools will continue to be used, not only to contain Covid-19, but also to manage any future possible health emergencies (or even political emergencies). While the use of such technologies may represent a pitfall for the citizen's right to privacy, the possible political implications of a "surveillance society" (or a "surveillance State") cannot be underestimated. In fact, it is always possible that these data may be used to control and limit freedoms. Some undemocratic regimes (primarily, China and Russia) have justified the adoption of tracking techniques as necessary tools for more effectively dealing with the contagion, and in the near future such surveillance apparatus could prove to be a formidable tool for limiting public discussion, or, at the very least, intimidate potential dissidents (Kendall, Taylor, Frantz and Wright, 2020). In this context, the health emergency seems to corroborate the latent tendency towards a resurgence of authoritarianism, or the shift towards forms of "plebiscitary" and "illiberal" democracy. As David Lyon writes, "civil liberties and human rights have been imperiled during the pandemic, in both 'authoritarian' and 'democratic' societies", and this process "is evident non just in one area, but

over several different aspects of social and political life" (Lyon, 2022, p. 135).

From what emerges from various surveys conducted in recent years, the deterioration trend does not concern only the most recent democracies. According to Freedom House data, the signs of a weakening in the guarantees of freedoms and rights has emerged, for example, even in the most consolidated Western democracies. The case of the United States is particularly significant, as here, civil rights and political liberties have been steadily worsening since 2009. Many studies have shown that over the last twenty years the evolution of trust in the political élite, in political parties and in institutional leaders has followed a largely downward trend, while some more recent surveys have highlighted a decline in Western citizens' support for democratic values (Bennett Institute for Public Policy, 2020). It is precisely these signals that have inspired the hypothesis that a "deconsolidation" of Western democracies is already underway, caused by growing disaffection and even by a significant (albeit minority) positive attitude towards other forms of regime (Foa and Mounk, 2016, 2017; Mounk, 2018). In this case, too, the data can be interpreted differently and in less negative terms (How, 2016; Wike and Fetterolf, 2018). But it is probable – or at least cannot reasonably be excluded – that the shock of the pandemic will increase dissatisfaction, disenchantment and hostility towards the political class and the establishment, perhaps opening up further spaces for a populist wave comparable to that following the 2008 financial crisis. At the same time, we can believe that the unstable situation may create a "window of opportunity" for "meritocratic" ideology, understood as an alternative to liberal democracy (Bell, 2015).

The tensions that Western democracies have faced during the health emergency (and which they will face in the near

future) obviously do not depend only on Covid-19 or on the impact that the pandemic has had on global economy flows. They are, in fact, intertwined with long-term dynamics, such as, in the first place, the "fiscal crisis" of the State, the "relative decline" of the West (from an economic, political and cultural point of view) and the crisis of confidence in political parties and the political élite. Perhaps the mixture of (old and new) factors could trigger a new 'populist wave', such as the one that marked the 10s of the 21st century; however, it is not a given that the protagonists of the political scene prior to the outbreak of the pandemic will be able to capitalize on the resentment of the economic crisis (Palano, 2020b; 2020c; 2020d; 2021). In any case, the political players will have to deal with a communication system that has been profoundly modified by the pandemic. The measures of social distancing have, in fact, fueled a notable acceleration in the use of the internet by citizens, and this is leading to a "hybrid" communicative context that could in reality resemble a sort of bubble democracy. This is a very different context from what almost thirty years ago Bernard Manin identified with the formula of audience democracy; it is a context in which the distrust of parties and the establishment is confirmed (and consolidated), in which the barriers to outsiders are also weakened and in which the "public" is fragmented (Palano, 2019b; 2020). Even the medium-term outcomes are not obvious, with social distancing measures having favored a further 'fragmentation' of the "public" into a myriad "bubbles". Old and new parties will almost inevitably have to deal with these structures when defining their political offer, aiming above all to enter the social media circuits, assuming the profile of "platform parties", and building 'profiled' messages based on the characteristics of different niches. Beyond the risks of manipulation that the use of social media brings (Freedom House, 2021; Kundnani,

2020), the proliferation of self-referential niches could favor polarization dynamics and strengthen centrifugal forces, partly similar to those we witnessed during the pandemic (in particular as regards the communication of the 'no-vax' sectors of public opinion).

Structure of the book

In recent decades, the Italian political system has been the focus of countless studies; indeed, Italy has appeared to many political scientists to be a sort of "laboratory", often in a position to anticipate new political trends. After being the country with the strongest Communist Party in the West, and having been the scene, at the end of the 1970s, of a sort of "low-intensity civil war", Italy has become the source of a long series of new parties, which, despite their extreme variety, have been marked with the general label "populism". After the end of the so-called "First Republic", at the beginning of the nineties of the last century, the Northern League of Umberto Bossi upset the rituals of the political system and radically changed the style of communication. In 1994, the "descent into the field" of a tycoon of the communication system marked the birth of so-called "tele-populism". Less than twenty years later, as Silvio Berlusconi's political decline began, the rise of a new movement founded by a comedian, the Five Stars Movement, began, which used the internet as the main tool for discussion and decision. The economic and financial crisis of 2011 favored the rapid rise of the Five Stars Movement, which, in 2013, became the leading Italian party in the Chamber of Deputies and which, in 2018, won about a third of the votes in the national elections. That same crisis also marked the start of a new season for the Northern League: in

fact, the new leader, Matteo Salvini, attempted to transform the League into a "national" party, currently widespread throughout Italy and probably "nationalist", and this saw it take on many elements characteristic of right-wing populism, such as those of the National Front (and now the *Rassemblement National*) in France. After the 2018 elections, the Five Stars Movement and the League formed an executive together, despite having ruled out this possibility on the eve of the elections. In this way, Italy became also the scene of the first ever "populist" government in Europe: never before, had radical forces – with simultaneously strong Eurosceptic positions – managed to enter the "control room". Over the last decade, another new party has appeared: the *Fratelli d'Italia*, led by Giorgia Meloni, largely fits into the group of right-wing and sovereign populist parties and, at least at the beginning of 2022, was estimated by polls to be the leading Italian party.

If Italy was, in many ways, the "laboratory" in which all the main variants of populism were tested, during the pandemic it again represented a sort of "laboratory". Already in January 2020, the government, then chaired by Giuseppe Conte, had decreed the "state of emergency"; this is a legal instrument which, in cases of particular urgency (for example, earthquakes, floods, pandemics, etc.), allows the executive to adopt measures, derogating from the law and using the power of ordinance. After the discovery of the first cases of Covid-19, at the end of February 2020, the Prime Minister presented himself to the Italians to announce exceptional "confinement" measures, similar to those that had been introduced in China a few weeks ago but that no Western country had ever experienced up to that point. In the first phase of the pandemic crisis, individual liberties and political rights were truly "suspended", because confinement and severe social distancing measures prevented citizens from leaving their homes, "gath-

ering" and demonstrating in the squares. At the same time, Parliamentary activities were also considerably downsized, while many of the decisions made were entrusted by the government to "technical" bodies and executive apparatuses substantially removed from the political control of the Chambers. The hardest phase of the pandemic crisis ended in summer 2020, which saw the distancing measures being attenuated and modified, but not suspended (Amoretti, Fittipaldi and Santaniello, 2021; Bull, 2021; Capano, 2020; Galanti and Saracini, 2021; Sala and Scaglioni, 2000; Stanig and Daniele, 2021; Ventura, 2021). However, Italy did not remain alone. While many other Western governments had initially judged Italy's decisions as too radical, within a few weeks, many countries actually adopted the "Italian solution", essentially deciding to "lock down" almost the entire population of the Old Continent.

It is probably still too early to take stock of the pandemic and establish whether the solutions adopted by Italy have been more efficient than those adopted elsewhere. Furthermore, it is still too early to formulate hypotheses on the ability of democracies to respond to the pandemic, or on the causes that, in some areas, have favored both a more rapid spread of the virus, as well as higher levels of mortality. The questions around the future of democracy and the impact of the pandemic on our political systems will remain at the center of scholarly attention in the coming years and will require in-depth research (Nicoletti and Lunardini, 2021; Pessina, 2022). This volume, created by Polidemos (the Center for the study of democracy and political change), intends to contribute to the discussion, focusing in particular on the 'Italian case', or rather on the way in which Italian democracy has responded to the health emergency. The scholars who collaborated in this research focused in particular on some crucial

dimensions: in particular, the expansion of emergency powers, the relationship between the executive and the legislative, the role of local authorities and the state-regions relationship, changes in populist formations and technocratic tendencies, the response of the Italian elites, and the transformations in political communication. In an even simpler way, this book asks some brutal questions, which are worth enunciating: has the pandemic emergency aggravated the “crisis” of Italian democracy (assuming such a “crisis” really exists and is not merely the result of an optical illusion)? Has the “state of emergency” declared by the Italian government “suspended” individual freedoms and the power of Parliament? And has the pandemic emergency helped to erode the foundations on which Italian democracy rests, favoring the spread of anti-democratic parties and messages?

In Chapter 1, Barbara L. Boschetti and Maria Daniela Poli consider the “pandemic curvature” of democratic space/time from a legal perspective. Boschetti and Poli begin by underlining the change that has taken place, on several levels, in response to the shock of the pandemic. In particular, the chapter considers the innovative profile of the National Recovery and Resilience Plan (NRRP). According to Boschetti and Poli, the Plan opened the way to the transitions of our time: the environmental and digital transition, but also the cultural and social transitions that await us. From this perspective, the NRRP can be considered a challenge that also places democracy at a crossroads: it has the opportunity to “be fit” for the future, or, simply, risk getting lost in the labyrinth of transitions that await us.

In Chapter 2, Martino Mazzoleni considers the response that Italian local authorities have provided to the pandemic crisis. As Mazzoleni shows, the performance of local democracy can be considered positive overall: while health services

were overwhelmed by the emergency in 2020, local authorities proved capable of providing a timely response, with tangible results, in assisting the population. The pandemic shock also offers valuable insights into the future. Even in the coming years, local authorities should in fact continue their commitment to social and territorial cohesion in the face of the still dramatic consequences of the pandemic. In particular, according to Mazzoleni, they should develop new approaches to successfully address the challenges in many policy areas of local government, which is closely concerned with the well-being of individuals, families, social organizations and the private sector.

In Chapter 3, Paolo Gambacciani carries out a comparative study of government-parliament relations in Italy, the UK, France and Germany during the pandemic crisis. In Italy, too, the pandemic emergency has led to a strong centralization of power in the hands of the executive, marked in particular by the declaration of the "state of emergency" and the use of extraordinary tools that this measure allowed. The main aim of the chapter is to clarify whether the concentration of power in the executive is exceptional or whether it presents similarities with other European countries. According to Gambacciani, the Italian crisis management framework does not differ significantly from that adopted by other countries. A unique feature that must be emphasized, however, is the fact that Italy, due to the absence of constitutional provisions for a state of emergency and the lack of an anti-pandemic law, managed the crisis with legislative instruments not designed for emergency purposes.

In Chapter 4, Corso Pecchioli analyzes the management of the pandemic in Italy, considering in particular the conflict between institutional levels. According to Pecchioli, the pandemic has seen the resurgence of unresolved issues with deep

roots and has also transformed a consolidated institutional practice into an unprecedented exercise of power. The chapter first reconstructs the institutional framework of relations between the State and the Regions, the constitutional criteria that regulate these relations, and the criticalities caused by the pandemic It then highlights the areas of conflict connected to the formulation and implementation of the National Recovery and Resilience Plan, with the aim of suggesting developmental prospects for the multilevel governance system.

In Chapter 5, Valerio Alfondo Bruno and Adriano Cozzolino examine the relationship between populism and technocracy during the pandemic crisis. As Bruno and Cozzolino point out, Italy represents a rather singular case, because it seems to be in constant oscillation between populist protest against the elites and a fascination for technocratic leadership. Since the outbreak of the pandemic in February 2020, the country has seen populist parties both in government and in opposition, while since February 2021 it has been governed by an executive in many ways "technocratic", which is however supported by a large coalition including populist parties. The chapter first reconstructs the evolution of the populist family in Italy before and during the pandemic emergency, focusing in particular on the performance of individual parties. Bruno and Cozzolino then provide useful elements for recognizing the role played by "technocratic" executives in recent Italian history, consider the formation of the Draghi executive, and finally dwell on the case of the National Recovery and Resilience Plan (NRRP).

In Chapter 6, Antonio Campati examines the relationship between Italians and the elites during the pandemic. As Campati points out, this relationship has historically been an ambiguous one, with periods of great distrust alternating with ones in which the level of appreciation of elites is very high.

The chapter traces the main turning points of the Italian political system, during which the role of the elites emerged as a key factor in overcoming the crisis. The Covid-19 pandemic represented precisely one such case. According to Campati, the pandemic crisis both "awakened" the Italian elites while simultaneously highlighting the substantial shortfall of elites who are the product of interaction between the party system, electoral system and government.

In Chapter 7, Matilde Zubani considers how the advent and development of the Covid-19 pandemic has changed the positions of the Italian parties within the European Union. Between 2018 and 2022, three different majorities gave birth to three consecutive governments (Conte I, Conte II, Draghi). Over these four years, the changing alliances between Eurosceptic parties (M5S, Lega) and traditionally pro-EU parties (PD) have marked a change of approach towards the EU. According to Zubani's analysis, the relationship between the Italian government and the EU institutions during the first year of the pandemic was marked by numerous moments of tension, because, in the initial months of the pandemic emergency, the absence of solidarity and support from other European countries undoubtedly weakened the pro-European sentiments of Italians and political parties. On the other hand, a deep-rooted change occurred when the infection spread throughout the Old Continent and saw the EU adopt extraordinary measures to support its member countries. A further change in attitude towards the European Union also occurred with the birth of the Draghi government, which saw the positions of the 5 Star Movement and the League alter significantly and, even within the Democratic Party, diversified positions emerge.

In Chapter 8, Paolo Carelli, Massimo Scaglioni and Anna Sfardini highlight how, during the pandemic crisis, commu-

nication became the central element, in many ways following the course of the disease: it crept into public debate slowly at first, before branching out explosively into various narratives. Every media space has been inundated with information relating to the virus, while the Coronavirus itself has profoundly changed our daily life, "bypassing" all other issues within the media system. According to Carelli, Scaglioni and Sfardini, a sort of "communication chaos" developed, which highlighted the fragility of direct communication to the public and which also prevented the statements of the institutional actors from clarifying what was happening (especially in the initial spring of 2020). The consolidation of a "two-faced" form of communication, based (theoretically) on the "knowledge" of science and on the "doing" of politics, has also led to the birth of new "hybrid" strategies: on the one hand, medicine is "politicized"; on the other, politics has become "medicalized" through the use of health-related slogans. And this sort of "short circuit" has reopened the question of the role of "experts" in the communication system.

The analysis proposed in this book is of course provisional, and it could not be otherwise. At the time of writing, the pandemic emergency is not yet over and the virus continues to circulate in Italy, Europe and the world. Furthermore, the pandemic crisis has been intertwined in recent months by both an energy crisis, which could trigger a worrying inflationary spiral, and a traumatic political crisis, which has brought war back to the soil of the Old Continent. All these elements make the situation even more worrying and seem to give form to the nightmare of a general systemic crisis, bound to increased instability, violence and poverty. Any assessment is therefore premature and it would be useless today to paint catastrophic or excessively pessimistic scenarios. However, these elements of crisis must be taken into consideration, as

they could contribute to aggravating both the "democratic recession" and "disconnect" between citizens and institutions, the distrust of politics, and the "skepticism" about democracy. Indeed, one of the most critical elements in the future will be the "trust" that sustains our democracies.

In the two years of the pandemic, the trend towards "individualization" of our societies has probably accelerated (Palano, 2020e; 2021). We have all grown accustomed to working from home and to new digital platforms, and have become familiar with new consumption patterns. Although these changes may have rendered many activities more "convenient", they also present numerous risks for the vitality of our democracies. In fact, a "good" democracy does not depend solely on a respect for individual rights or freedom of the press, but also on the strength of the social fabric, on the presence of social capital networks, and on the participation of citizens in community life. In the past, Italy has managed to overcome moments of crisis thanks also to the social capital present on a local level, which has compensated for the inadequacy of institutions and, at times, the political elites. It is not certain that Italian democracy can count on this precious legacy of the past for much longer, and for this reason it may be necessary to imagine paths that allow us to preserve, enrich and strengthen those networks of social capital, interpersonal trust, participation, availability and cooperation, without which a solid and vital democracy cannot survive.

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The Pandemic Curvature of Democratic Space/Time. A legal perspective[1]

BARBARA L. BOSCHETTI[2] AND MARIA DANIELA POLI[3]

Abstract. The paper outlines if and how the pandemic contributed to the curvature of the democratic space/time. The entire legal toolbox was deployed and shaped to counter the pandemic's many impacts: not only regulatory strategies and decision-making processes, but also governance and even the legal lexicon. The short distance travelled in the journey towards recovery and resilience – which *per se* is a pandemic output – has already revealed the goal-oriented and performative face of the new NRRP/dedicated governance and regulatory framework, which seems able to temper the future and the risks it brings. It also paves the way to longer journeys, including the big transitions of our time – environmental and digital transitions, but also cultural and social ones – together with their transformative potential. Democracy is at a crossroad: it has the opportunity to be fit for the fu-

[1] The paper is the result of a joint and passionate exchange of ideas and cooperation between the two Authors. Notwithstanding, as far as academic evaluation procedures are concerned, paragraphs I and III can be attributed to Maria Daniela Poli; paragraphs IV and V to Barbara L. Boschetti; and paragraph II to Maria Daniela Poli and Barbara L. Boschetti. The paper was last updated on March 1, 2022.

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ture (future-proof), or simply lost in transition(s). In this respect a few lessons emerge from the pandemic.
Keywords: Pandemic; lexicon; governance; vaccination; resilience.

1. *The things we (are) used to say(ing)*[4]. *The anti-pandemic lexicon*

The Covid-19 pandemic is also a terminology pandemic (Ralli, 2020). The lexicon of the pandemic is currently the most frequently used. In 2020, "pandemic" was named word of the year by Merriam-Webster, while the term "lockdown" was chosen as word of the year by Collins; in 2021 the selected words were "vaccine" for Merriam-Webster and "vax" for the Oxford English Dictionary. Talking about masks, social distancing, lockdown, quarantine, risk areas, Covid checks, etc. has become our new normal. New words and expressions have enriched our vocabulary. The very term "Covid-19" is new, the official name attributed to the virus by the World Health Organisation on February 11, 2020[5]. In Italy, the Accademia della Crusca has identified the following new words: "coronavirus, droplet, *distanziamento sociale*, lockdown, *didattica a distanza (DAD)*, termoscanner, Long Covid, *sindrome post-Covid*, infodemia and green pass"[6].

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[4] N. Ginzburg, *The Things We Used to Say*, Arcade Publishing, 1999, original version (it.), *Lessico famigliare*, Einaudi, 1963.

[5] See: World Health Organisation (WHO), Naming the coronavirus disease (COVID-19) and the virus that causes it, https://www.who.int/emergencies/diseases/novel-coronavirus-2019/technical-guidance/naming-the-coronavirus-disease-(covid-2019)-and-the-virus-that-causes-it.

[6] See: https://accademiadellacrusca.it/it/contenuti/lacruscaacasa-le-parole-della-pandemia/7945.

Furthermore, Covid-19 has intensified and accelerated the use of anglicisms (Zoppetti, 2020) and the phenomenon of borrowing from English (García, 2020). The Italian case is a prime example in this respect (Cappuzzo, 2020): English words such as lockdown, smart working, cluster, droplet, task force, hub, conference call, COVID hospital, green pass, booster, etc. are not only being commonly used, often without their Italian equivalents, but at times also abused, as Prime Minister Mario Draghi pointed out on March 12, 2021, in reference to the expression "smart working"[7].

As Tullio De Mauro (De Mauro, 2016) put it (long before the pandemic), there is an ongoing "tsunami anglicus". The phenomenon is highly problematic, as it impacts the accessibility and clarity of the pandemic-related lexicon. There is a lesson to be learned from history. In 1481 Marsilio Ficino wrote his *Consiglio contro la pestilenza* (*Advice against the Plague*)[8] in the vernacular instead of Latin (the official written language at the time), to offer practical guidance for everyone. The use of anglicisms in legal texts could also undermine the intelligibility of legal language, which constitutes an essential need of our society, as acknowledged by the Italian Constitutional Court in its famous Judgment no. 364/1988 on the principle of *ignorantia legis non excusat*[9]. Furthermore, the Italian language is of constitutional significance, including within

[7] See: https://video.repubblica.it/dossier/governo-draghi/covid-la-battuta-di-draghi-sullo-smart-working-ma-perche-tutte-queste-parole-inglesi/377842/378451, March 12, 2021.

[8] The text is available online via google books: https://play.google.com/books/reader?id=p9-zf4Pw3NkC&pg=GBS.PP1&hl=en.

[9] Italian Constitutional Court, Judgment no. 364/1988, available at www.giurcost.org.

the context of internationalisation and globalisation (It. Constitutional Court, Judgment no. 42/2017)[10].

It is worth mentioning the ambiguity of some of the terms included in legal texts and the decisive role played by soft law to resolve the impasse. A good example is the term "*congiunti*" ("relatives") used in the Prime Ministerial Decree (DPCM) of April 26, 2020, which permitted necessary travelling to meet relatives. However, given the lack of a legal definition for the term, it was immediately difficult to identify who was a relative, so that specific clarifications were necessary in the form of a public communication by the Prime Minister Giuseppe Conte[11] and the publications of FAQs[12] in the days that followed.

Alongside new words, anglicisms and ambiguities, the pandemic narrative is primarily a war narrative, full of metaphors. The pandemic/war comparison is visible at all levels and has been circulated through soft law tools (especially public statements and press releases). At the G-20 summit on the Covid-19 pandemic of March 26, 2020, UN Secretary-General António Guterres defined the virus as a "*war that needs a war plan to fight it*"[13]. The war narrative helped define the new emergency-based legal order and its social and legal (and constitutional) legitimisation. It is precisely in this setting that the state of necessity takes shape, allowing pandemic

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[10] Italian Constitutional Court, Judgment no. 42/2017, available at www.giurcost.org.

[11] See: https://www.youtube.com/watch?v=mQ8nzPv5WlM, April 27, 2020.

[12] Goverment's FaQs available at https://www.salute.gov.it/portale/news/p3_2_1_1_1.jsp?lingua=italiano&menu=notizie&p=null&id=4661.

[13] See: https://www.un.org/en/coronavirus/war-needs-war-time-plan-fight-it.

law-making and its decision-making framework to grow rapidly and unhindered (Cantaro, 2021, 20-21).

Alongside military images and allegories used by politicians and soft law makers, the legal literature has often made recourse to Latin maxims such as *salus rei publicae*, *primum vivere*, *ex facto oritur ius*, and *necessitas non habet legem"* (De Siervo, 2021, 49; Niccolai, 2021, 243). Some authors have also pointed out that principles such as *primum vivere* and *salus rei publicae* can be regarded as inherent values of the legal system and should be treated as constitutional principles (Luciani, 2020, 113). These expressions have of course become additional means of legitimising the extraordinary measures adopted during the pandemic.

Another important feature is the fusion between hard law and soft law languages, since soft law expressions such as "*it is recommended*" and "*it is strongly recommended*" are used in hard law sources, while hard law legal vocabulary such as "*are effective immediately*" and "*come into effect*" can be found in soft law sources (Boschetti, and Poli, 2021, 30).

Last, but not least, there is the binomial "pandemic resilience". Indeed, the fashionable term "resilience" was catapulted into the pandemic legal narrative by Regulation (EU) 2021/241, which established the Recovery and Resilience Facility and national recovery and resilience plans (NRRP). The regulation expressly defines resilience as "*the ability to face economic, social and environmental shocks or persistent structural changes in a fair, sustainable and inclusive way*" (article 2). However, resilience is not simply a term, but is itself part of a narrative, which projects us towards a present and a future of recovery and reforms. As highlighted by A. Cantaro, "*recovery is*

the symbol word of the post-pandemic. A password for everyday life"[14]. It is also significant that the Italian National Recovery and Resilience Plan (PNRR)[15] not only mentions the word "reform(s)" as many as 606 times, but introduces them as enabling ("*abilitanti*"), accompanying ("*di accompagnamento*") and context-oriented ("*di contesto*"). Similarly, the European Commission identifies "future-proof" reforms as a key component for the Next Generation EU.

2. *"Adelante Pedro, con juicio, si puedes". The pandemic and the curvature of regulatory space/time*

While the Covid-19 virus has changed the things we (are) used to say(ing), it has also managed to insinuate itself into law sources and deep inside the regulatory apparatus and framework. More precisely, the pandemic has led to a sort of distortion of regulatory space/time, under the pressure of three concurrent factors: promptness, effectiveness and convergence.

Promptness required the creation of regulatory *shortcuts* to bridge the distance between rulemaking and the new pandemic government/governance framework. Due to the lack of a constitutional framework for emergency situations, Italy addressed the pandemic through a combination of decree-laws and Prime Ministerial decrees (known as DPCMs). While the use and/or abuse of decree-laws is not new, the novelty lies precisely in the massive use of DPCMs for the manage-

[14] Translated from the Italian: "Oggi ripartenza è la parola italiana, per eccellenza, della postpandemia. Parola d'ordine del linguaggio di ogni giorno" (Cantaro, 2021, 39).
[15] Available at https://www.governo.it/sites/governo.it/files/PNRR.pdf.

ment of the pandemic (39 by Prime Minister Conte and 12 by Prime Minister Draghi)[16]. Although this emergency-proof regulatory scheme was not found to be unconstitutional (Italian Constitutional Court, Judgment no. 198/2021)[17], it is not without consequences as regards both law sources and checks and balances (their purely governmental nature allows them to avoid parliamentary oversight), moving the needle of the scale to favour the Government at the expense of Parliament (Poli, 2022). Furthermore, the constitutional reasoning is weak and the Constitutional Court seems to be acting more for political reasons, i.e. to avoid calling into question the Government's pandemic policy, than for legal/judicial ones.

The emergency-proof shortcuts can also be regarded as a way of ensuring effectiveness precisely because they also guaranteed a closer connection and continuity between the pandemic laws and executive/operational dimensions, at all levels of government and even across the public/private divide. A good example is the original shortcut aimed at bridging the gap between hard and soft law sources through both a structured (insofar regulated by pandemic decree-laws) and original (if compared to the pre-pandemic era) interplay between hard and soft law sources, and the combination of different soft law tools (*soft law loops*) generated at different levels by a vast number of soft law makers, both public and private (Boschetti, and Poli, 2021). In this ever-changing and tentative regulatory scenario, soft law has augmented the legal system's potential to shape and direct behaviours, activities and needs, far beyond the reach of hard law. Within this expand-

[16] See https://www.openpolis.it/coronavirus-lelenco-completo-degli-atti/.

[17] Italian Constitutional Court, Judgment no. 198/2021, available at https://www.cortecostituzionale.it.

ed regulatory dimension, instrumental to regulation and governance goals, not only has the traditional formulation of hard and soft law as opposites become inadequate, but the existence and importance of a social normativity encompassing the legal one has emerged (Boschetti, and Poli, 2021, 34; Luciani, 2020; Bobbio, 1994). A sign of the new interdependence generated by the pandemic, as we will see below.

Last but not least: as soon as the recovery and resilience narrative emerged, complementing the state of exception from its very beginning (May 2020 onwards), it also justified shortcuts aimed at simplifying the legal framework and derogating from (the ineffectiveness of) normal normativity to the extent that the exceptional normativity has merged with normal normativity and vice versa.

As an aside, the urgency for effectiveness required more than *shortcuts*. Regulatory strategies had to *experience the pandemic* throughout its course in order to constantly adapt responses to changes in the pandemic itself, in scientific knowledge and achievements, in society and the economy. This need determined a clear regulatory shift towards an experimental and "learn by doing approach". This was embodied in the ceaseless and extremely dynamic sequence (and combination) of decree-laws, Prime Ministerial decrees (paragraph II above), Health Ministry decrees, special commissioners' orders, and regional and local orders. It also underpinned the traffic-light system and its varying restrictions, dependent on many factors such as hospital capacity and infec-

tion rates, as well as the organisation of the vaccination campaign[18].

Moreover, the experimental and 'learn by doing' approach forced regulators and decision-makers to deploy the entire regulatory toolbox and to make large use of *soft law strategies*, due to their informality, flexibility and ability to cross boundaries and permeate the entire system. This created a sort of *informal regulatory continuum* that supported institutions' regulatory efforts at all stages of the regulatory process. Thanks to soft law, many regulators (independent agencies, but also unions, trade associations, research centres and non-profit organisations) played an important *supporting/accompanying role* to help individuals, businesses and other public and private entities overcome the complex abnormality of the pandemic (Boschetti, and Poli, 2021; Zito, 2021). Here again we see the urgent need for regulators to accelerate processes and find a way to be in touch with society not merely from a legal perspective, but focused on the reactivity and performance of individuals and entities. It goes without saying that the pandemic tested the malleability of human behaviour to a point that could hardly have been imagined before (except in war time). At the same time, it deprived normativity of the kind of normality it requires to operate (Cantaro, 2021, 23), and this still appears suspended/to be diminishing in the new regulatory path towards recovery and resilience and its futuristic vision.

The last factor that has contributed to the curvature of regulatory space/time is convergence. The pandemic has had systemic impacts. As a consequence, fair cooperation between

[18] For information about decree-laws and Prime Ministerial decrees see https://www.openpolis.it/coronavirus-lelenco-completo-degli-atti/. For information about soft law in the pandemic, see Boschetti, and Poli, 2021.

all actors, both public and private, institutions (at all levels), individuals and businesses has proven key to the success of the regulatory response to the pandemic and its many impacts on society and the economy. Significantly, the former President of the Italian Constitutional Court referred to loyal cooperation as the constitutional way out of the pandemic crisis (Cartabia, 2020; Giurato, 2020; Della Giustina, 2020). Even if the constitutional principle of loyal cooperation pertains mainly, at least constitutionally speaking, to institutional relationships, the pandemic raised and emphasised the importance of loyal cooperation in two different sets of relationships: i) public-private relationships, meaning relationships between public institutions and individuals/businesses/other legal entities such non-profit organisations; and ii) private-private relationships, meaning business to business, business to individual, individual to individual, individuals to communities and many other relationships. Acknowledgement of the necessary engagement of all parties created a new regulatory task: that of ensuring the convergence of all players in the fight against the Covid-19 pandemic and, later, in addressing recovery and resilience strategies and the major transitions to which they contribute and which they accelerate (Zamagni, 2020, 33). Here again, soft law strategies gave the system enough flexibility to set up a pandemic governance framework capable of ensuring cooperation and convergence without jeopardising the Constitution (especially with respect to the constitutional guarantees of the Regions and local authorities). These included new informal networks, working groups and steering committees, sometimes even mentioned in pandemic hard law. As stated above, soft law also promoted solidarity and socially responsible behaviours at a time marked by the ethics of responsibility – as well as its converse, as testified by the no-vax fringe and social aggressivity we are experienc-

ing today (Zagrebelsky, 2020; Carnevale, 2019; Caporale, and Pirni, 2020, 20). Workplaces, shops, public outdoor spaces, means of transport and homes can be described as the places where the horizontal dimension of loyal cooperation developed. For example, distancing and preventive measures such as wearing masks, voluntary surveillance, self-testing, even vaccination. These are all "responsible" behaviours that relied mainly on individual acceptance, promoted and nudged along by the Prime Minister and our Head of State in their speeches and official messages, but also by public service announcements from leading actors, singers and athletes, and even by a carrot and stick approach aimed at rewarding certain behaviours believed to be "responsible" (which operates through the interplay between hard and soft law sources). Besides this, there is the state of necessity and the desire to return to normality (in this respect, the decision to end the state of emergency is not, *per se*, the turning point)[19].

3. *To vaccinate or not to vaccinate. The dribbling strategy of the Covid-19 vaccination campaign*

To vaccinate or not to vaccinate: this is the question of the pandemic! While at the beginning everyone was hoping that a vaccine would be found as soon as possible, once this happened, the problem was, and still is, to convince everyone to get vaccinated in order to achieve herd immunity.

[19] On the difference between the state of necessity (of constitutional relevance) and the state of emergency (not mentioned in the Italian Constitution), S. Niccolai, 2021; see also Bobbio, 1994. The end of the state of emergency is now scheduled for March 31, 2022.

The Italian strategy in this respect can be summarised as follows: a vaccination campaign and progressive roadmap towards mandatory vaccination.

The campaign vaccination, which has played a pivotal role and also has the great, unique merit of stimulating a sense of civic duty, was mainly built using soft law (Boschetti, and Poli, 2021, 28). Recommendations for vaccination abound at all levels and come from both the public and the private sectors. One example *über alles* can be found in the New Year's messages from the President of the Republic Sergio Mattarella. On December 31, 2020, his invitation to get vaccinated and recognition of the vaccination as an out-and-out duty resonated strongly in all Italian households: "*To be vaccinated is a responsible choice, a duty. [...] The vaccine and EU initiatives are two decisive vectors of our rebirth*"[20]. Similarly, on December 31, 2021 the value of the vaccine and its fundamental role in preserving human lives and reducing the spread of the virus[21] were key topics of his speech, which was an admonishment, if not a reprimand, for the anti-vaxxers.

Furthermore, despite the constitutionality of introducing a mandatory requirement right from the start (Italian Constitutional Court decisions no. 5/2018 and no. 118/2020), this would have increased tensions. The approach taken was instead to skirt around the problem; in other words, engage in a sort of football-style dribbling. The result was an oxymoron: "a *non-mandatory obligation*" (Ainis, 2021).

Italians have been led step by step towards vaccination: (i) the basic Green Pass required to access and exercise many rights (*in primis* the right to work) has been progressively ex-

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[20] Available at https://www.quirinale.it/elementi/51474.
[21] Available at https://www.quirinale.it/elementi/61831.

tended; ii) at a later stage, the Super Green Pass no longer offered the option of a rapid antigen or molecular test with a negative result as an alternative to vaccination; and iii) finally, Decree-Law No. 1 of January 7, 2022 made vaccination mandatory for all Italian residents who will be over 50 by June 2022, including European citizens and foreigners, who are required to present a Super Green Pass in order to access the workplace.

Based on the foregoing, we can say without any shadow of doubt that the Government chose a "soft" route. It was soft from two different perspectives. On the one hand, as already mentioned, it was dominated by soft law in different shapes and from different sources. At the same time, it played anticipatory, supporting and accompanying roles *vis-à-vis* hard law (Boschetti, and Poli, 2021). On the other hand, hard law measures took on a soft nature for two reasons. Firstly, they developed gradually. In fact, in the first stage they affected specific groups, in the second stage they were extended, and in the third stage they were rolled out even further. Secondly, they implicitly and indirectly pushed or, even forced, people to get vaccinated, progressively reducing or eliminating the range of options open to them (Spadaro, 2021). Notwithstanding this, it is worth mentioning that the constitutional legitimacy of the Green Pass cannot be questioned[22], as it is based on the need to safeguard people's fundamental right to health (Azzariti, 2020; Bin, 2021; Della Cananea, 2021; Poggi, 2021; Romboli, 2021). Former constitutional judge Professor Sabino Cassese even suggested that the Green Pass should be

[22] See also French Constitutional Council, Decision no. 2021-824 DC of 5 August 2021. Available at https://www.conseil-constitutionnel.fr/decision/2021/2021824DC.htm.

treated like a driving licence (Bisozzi, 2021). For the sake of accuracy, it should also be noted that indirect vaccination obligation is not something new, as the case of the exclusion of unvaccinated students in the United States and in the autonomous Spanish Communities show from a comparative perspective (Spadaro, 2021, 74). Thus, the overall strategy passes "from persuasion to induction and from induction to coercion" (Ainis, 2021).

The last phase (Decree-Law No. 1/2022) is by definition a logical part of this framework. Indeed, it is no coincidence that the current vaccination obligation applies only to the over-50s. The decision is of course based on the fact that older people are more vulnerable, but it can surely also be regarded as a preliminary step towards a more widespread obligation. In addition, the paltry fine (100 Euro) for non-compliance means that it is only a "polite obligation." (Giorgi, 2022).

In this context, another important aspect is that the vaccination campaign has led to a general reflection on the fact that "health is a systemic process that includes the well-being of nature and the animal world (One Health)" (Caporale, and Pirni, 2020, 14), also in light of the climate issues we are facing. The very recent approval of the constitutional law that amended the Italian Constitution (February 8, 2022) by adding the safeguarding of the environment, biodiversity and the ecosystem also in the interest of future generations[23] is a product of such reflection.

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[23] The reference to the future generations echoes the judgment of the Bundesverfassungsgericht, which ruled that Germany's Climate Protection Act was unconstitutional: BVerfG, Order of the First Senate of 24 March 2021 – 1 BvR 2656/18, available at https://www.bundesverfassungsgericht.

4. *Back to the future? The journey towards recovery and resilience*

In the midst of the health and economic crisis, the first wave of the pandemic over but still a burning memory, Italy set out on a journey towards recovery and resilience. Giving names to laws is in itself a sign of a political narrative. In the person of Prime Minister Conte, the Italian Government significantly named the Decree-Law of May 19, 2020 the "*Decreto Rilancio*" (Recovery Decree), and the word "*rilancio*" (recovery) showed up soon after in a decree passed in mid-August 2020, also known as the "Decreto Agosto" (August Decree). This was just the beginning of the recovery and resilience narrative which, surprisingly, took its place alongside the catastrophic and "*we are at war*" narrative (Cantaro, 2021, 5-8; Draghi, 2020), until the latter was replaced by a more relaxed "*stay vigilant*": from 'hope and fear' to 'hope with caution'.

To gain an understanding of this change of direction in Italian domestic politics and legislation, we have to take into consideration two series of events.

In the late spring of 2020, the Next Generation EU negotiations were underway, and the European Council of June 17-21, 2021 defined the main features of the new financial tool known as the Recovery Fund, based on the European Commission's proposal at the end of May (Santini, 2021). This important decision gave way to the Recovery and Resilience Facility (RRF), which is the key (including financial) compo-

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de/SharedDocs/Entscheidungen/EN/2021/03/rs20210324_1bvr265618en.html. On the consideration of the future generations in constitutional law with a focus on the inclusion of future generations in article 9 of the Italian Constitution and on the aforementioned German decision on climate change: L. Bartolucci, 2021. See also: Fraenkel-Haberle, 2021.

nent of the NGEU programme. Within this framework, later detailed in the guidelines published by the Commission in January 2021 and by EU Regulation 241/2021 on the RRF, Italy submitted its National Recovery and Resilience plan (April 30, 2021). From this moment on, the recovery and resilience narrative began to dominate the domestic political arena and law, shaping the institutional apparatus and regulatory strategies. The how is precisely the topic discussed here.

This notwithstanding, the first clues of the recovery narrative (resilience not yet having become part of the legal vocabulary) date back to the pre-pandemic era. Here again the names of laws – mainly decree-laws, as in the pandemic era – tell us something about our permanent need for urgent reforms, to unlock the economic system, and to simplify the public sector and administration (Zamagni, 2020, 35). Earlier still there were the "*Sblocca cantieri*" decree, aimed at speeding up public works (Decree-Law No. 32, March 19, 2019); the "*Sblocca Italia*" (Decree-Law No. 133, June 15, 2014), aimed at speeding up the Italian economic system; the Decree "*del fare*" (Decree-Law No. 69, June 21, 2013), aimed at making effective a set of uncompleted reforms; and the "*Sviluppo*" decree (Decree-Law No. 83, June 15, 2012) aimed at boosting the economy. In short, it is apparent that Italy has been in search of recovery for a very long time, due to its endemic inability to reform and carry out reforms and its falling back on derogations and exceptions. The (post-)pandemic recovery and resilience narrative therefore somehow brings us back to the future. The pandemic itself takes on a sort of chronic emergency status.

In light of the above, one question emerges. What changes has the Italian NRRP brought about within the framework of the NGEU and the new recovery and resilience narrative?

To answer this question, we can start by saying that it is not easy to define what the NRRP is from a merely legal perspective (Clarich, 2021; Lupo, 2022, 3-5). The plan has a two-fold nature. It sits between politics and the law. It is a massive and future-oriented political action programme subject to an approval procedure regulated by the law (EU law) but inherently political (the plan is approved by the European Council on the EC's advice[24] and its content must be consistent with the (six) pillars and the general and specific objectives set out at EU level[25]).

The implementation and monitoring cycle is also two-pronged, and also falls between politics and the law. Planned law reforms are treated as investments, as goals to accomplish, under the penalty of losing EU funds. New laws are needed to set up the governance framework, procedures, tools and rules necessary to implement the plan (missions/goals/funds[26]) according to the schedule (milestones). A new regulatory space/time to benefit the NRRP and its "missions". This notwithstanding, in the implementation and monitoring phase there is also plenty of space for politics. In spite of the widespread use of decree-laws to pass NRRP-related reforms (confirmation of the Government's role in triggering the NRRP), the legislature remains in charge and at liberty – politically speaking – to decide the what, the how and the when (within the natural constraints of our form of government, impacted by the fragility of the current political parties and by the

[24] According to the parameters set out in EU Regulation 240/2021.

[25] Articles 3 and 4 of EU Regulation 241/2021. EC Guidance for implementation of the Recovery and Resilience Facility, 22.01.21, available online.

[26] The strict correlation between goals and financial resources can be found also in the "*do no significant harm*" principle under the Taxonomy Regulation.

NRRP itself)[27]. In this respect, it is important to note that in mapping reforms for the NRRP, the Italian Government under Prime Minister Draghi made a careful selection, taking into account both the political calendar (2023 being the physiological end of the current legislature) and the political risk inherent in each reform (some have a 2026 end date). In addition, and significantly, the EU RRF Regulation (241/2021) allows politics a certain amount of room for manoeuvre, in that it gives Member States the option of amending their NRRP (article 21). That said, it is interesting to note that, precisely due to its concurrent political nature, a (political/legal) failure to make the promised (*rectius*, planned) reforms and investments could turn into a critical democratic issue. It could, among other things, lead to a request for technical support using the Instrument established by EU Regulation 2021/240 and it is no coincidence that the Regulation recommends Member States consult the relevant stakeholders – communities and local authorities – prior to requesting technical support, "*in order for the reforms pursued by Member States to gather wide support and ownership*" (article 9).

We can clearly see that the new regulatory space/time triggered by the NRRP is more than just an interesting package of reforms. It is a key component of the recovery and resilience strategies outlined at EU level, and nationally in the NRRP.

[27] La Stampa, *I partiti e le lobby all'assalto. 90 audizioni e 50 audizioni per colpire il cuore del PNRR*, February 11, 2022. Art. 9bis, co. 2, decree-law n.152/2021, converted into law n. 223/2021, caters for a Parliament's early warning mechanism in case proposals for amending or renovating the NRRP are mede by the Government.

First of all, the NRRP requires a dedicated governance framework as well as simplified procedures and rules, aimed at its implementation and monitoring and capable of working alongside, and in dialogue with, those established at the EU level and regulated by the RRF Regulation[28]. Soon after the NRRP was presented, and prior to its approval, Decree-Law No. 77/2021 set out the new mechanisms and structures required to make the NRRP possible, which significantly reinforce the role of central Government and the Prime Minister. A number of other decree-laws followed to complete the restructuring of the public administration, on which the success of the NRRP very much depends (Boschetti, 2021b).

NRRP-dedicated governance co-exists with ordinary institutional architecture, creating a new equilibrium and even impacting the form of government (Lupo, 2022, 3). Moreover, the overall impact is somehow amplified by the parallel transformations of governance generated by the major transitions, first and foremost ecological and digital transitions (Boschetti, 2021a and 2021b). Similarly, the NRRP-dedicated procedures and simplified rules, which apply to all investments, activities and projects financed under the NRRP and complementary funds, create a performative parallel normativity. However, it must be said that, assuming they are instituted timeously, the reforms carried out under the NRRP will progressively and systematically change and innovate the overall regulatory framework in many key areas (the first of which are the public sector, taxation and the judicial system) so as to align, at least to a certain extent, these binary systems (Cantaro, 2021, 53).

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[28] Part IV of the Italian NRRP is dedicated to Governance.

The main novelty here is the emergence of a goal-oriented and performative governance and regulatory framework, which forces politics into streamlined pipelines and (digital) meta-cycles (EC 2021c) and seems able to temper the future and the risks it brings. Timeframes have been shortened (the future is nothing but the day after tomorrow), resilience is showing the way to turn shocks into opportunities, reforms are the pledge for a *future-proof* tomorrow (EC 2021a), and the journey – the movement – towards recovery and resilience, by means of the major transitions, suggest that we can plan the future and that the future – at least the one we planned (in the NRRP and other documents) – is already/nearly here, in our (resilient) hands.

This is a two-fold challenge for our country. On the one hand we must show we are capable of the future the NRRP is offering us (Clarich, 2022; Camera dei deputati, 2022); on the other, we must show we are capable of designing and making our near future. To this end the NRRP does not give all the answers we need to cure our endemic ills. On the contrary, it may give us the illusion that they no longer exist.

5. *Lost in Transition(s)? Lessons from the pandemic*

The journey towards recovery and resilience (2021-2026) paves the way to longer journeys. It brings us towards the big transitions of our time: environmental and digital transitions, but also cultural and social ones. Unsurprisingly (but surprisingly for the pre-pandemic world), EC President Ursula von der Leyen launched the *European Bauhaus*, a cultural and innovative design built on inclusion, sustainability and beauty. The newly re-elected President of the Italian Republic Sergio Mattarella has announced a post-pandemic *New Deal*. The ma-

jor transitions are part of this innovative cultural project, but they transcend its boundaries, time limits, targets and even its funding.

Transitions do not just define our (indefinite) future (Cantaro, 2020, Pessina, 2016). They are a way of being – not simply in transit, on a journey, but projected onto meta-goals, driven by the image of a better world (resilient, sustainable, digital, inclusive) – various stages in an approach to assessing progress and reassuring society and the economy. The ancient paradigm of promise (and salvation) is today translated into (that of) promises and transitions (Cantaro 2021, 5-8; Walzer, 1986). A kind of new therapy for our humane, societal, economic and institutional ecosystems.

Indeed, the ecosystemic impact of transitions, together with their progressive performance cycle, provides information about and measures their radical transformative potential or, at least, their force of acceleration: both of which go far beyond the reach of public institutions alone (Boschetti, 2021b; Floridi, 2022). Convergence is the key, as in the pandemic era (Caporale, and Pirni, 2020; EC, 2021d). It is no coincidence that they are explicitly and officially called "*revolutions*". The transformative potential of transitions must be taken seriously. Indeed, some of the transitions have such a short-term horizon that we cannot simply ignore them (both the UN SDGs and digital transition are to be completed by 2030). Still, the most relevant aspect is that transitions change the ontology and epistemology of things, of reality, of what is "human".

The digital transition – the *fourth revolution* Luciano Floridi talks about (Floridi, 2012) – implies such a radical change that it requires the resetting of our cardinal points and a new compass (EC, 2021b). The circular economy paradigm rooted in the ecological transition should radically change the way

we use and manage natural resources, production cycles, consumption patterns, urban transformation, and their codes (legally speaking). Thanks to the holistic dimension of sustainability, the circularity paradigm has crossed the environmental fence and may contribute to re-shaping value creation and distribution (Caporale, and Pirni, 2020, 20), approaches to inclusion and subsidiarity, together with the digital transformation (Ferraris, 2021; Benanti, Darnis, and Sciarrone Alibrandi, 2020; Casilli, 2020). A new space/time perspective that brings the future dimension into our everyday life. In other words, the duty towards future generations that has recently been incorporated into our Constitution (article 9) may radically change the options available to law-makers and decision-makers (Pope Francis, 2015; Fracchia, 2005 and 2010; Cantaro, 2021, 53; Cuocolo, 2022)[29]. Similar considerations can be applied to the cultural transition, which is required to open the doors of the future to all. It has the power to regenerate our mindset, competence and skills on an ongoing basis and across the generations. It could be described as a cultural and educational vaccination campaign.

These transformations have already started to take place. Yet the duty towards the Next Generation EU has already revealed its transformative potential, by re-shaping our current existence and that of our democratic environment. It has touched on the legal system, government and governance, the role the public sector plays, how institutions interact with one another and with society, the regulatory framework and its style. The short distance travelled in the journey towards recovery and resili-

[29] See also German Constitutional Court, Order of the first Senate, March 24th 2021, Neubauer et al. v. Germany, cit., based on artt. 2 and 20a of the German Basic Law.

ence has already revealed the goal-oriented and performative face of the new NRRP/dedicated governance and regulatory framework. The NRRP's mission/targets/funds/milestones approach aims to create efficient core units (*capsules*, if we want to linger in the comfort zone of anti-pandemic lexicon), in which politics and law, resources and time – the four dimensions that define (and condition) executive action – are pre-set and combined: a kind of public policy *pret-a-porter* – a prepackaged product ready to go.

What we have experienced since the recovery and resilience journey began is just a taste, a first bite, of what being in transition(s) means. Indeed, transitions imply something more than recovery, were it for no other reason that they imply a rather conservative perspective: the return to our pre-pandemic past, together with its neoliberal paradigms and laws (Cantaro, 2021, 11). The crucial point now is to understand what makes it possible to go beyond a "simple" recovery from the pandemic and take transitions seriously. This is precisely where the restorative and transformative potential of resilience comes into play (Cantaro, 2021, 53; Caporale, and Pirni, 2020, 16). Resilience is transformative in nature (to a point that it appears at odds with recovery), in that it forces us to look at a future open to plans, the only certainty being the need to turn our past weaknesses into an opportunity for real change (Marramao, 2020). This is the first lesson of the pandemic: we do not have to settle for the transformative potential of transitions, lingering in a goal-oriented and performative approach only repeated on a larger scale. Instead, we can save room for the transformative potential of resilience within, and in spite of, transitions, and be able to see the hidden emergencies (Zabala, 2021) and even the contradictions the major transitions embody (i.e. the sustainability side-effects of the digital transition and the electricity transition); free up

human and societal creativity; and orient individual and collective behaviours towards a new generativity (Caporale, and Pirni, 2020, 13; Bartolini, and Demichelis, 2021; Alpa, 2021; Pessina, 2022). This non-deterministic (but rather experimental), non-top-down (but rather distributed and inclusive), non-technocratic and only apparently non-performative form of sovereignty – if compared to many that crowd the post pandemic world, including vaccine, digital, data and energy sovereignty – is what we should most care about. It marks the distance between the *Europe First* paradigm and the *European Bauhaus*.

For these reasons, resilience can be chosen as the main theme for the major transitions, the true game changer – the new event horizon, to borrow from the language of astrophysics. In this respect, the recognition of resilience as a core legal principle for the Next Generation EU must be interpreted as a call to take the transformative potential of resilience seriously also within the legal environment. As during the pandemic, when the entire legal toolbox was deployed and shaped to meet the pandemic's many challenges (see paragraph II), the entire legal toolbox now needs to be rethought and shaped to meet the real opportunities for change – an open regulatory sandbox to preserve resilience in transitions. This is the challenge, which we cannot de-constitutionalise (Cantaro, 2020, 44), which our democracy has to embrace, and which is the most difficult task for politics and the law. It is the most important legacy of the pandemic. Either way, we have the opportunity to be fit for the future (future-proof), or simply lost in transition(s).

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Italy's Local Democracy Facing the Pandemic: lessons and challenges

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Abstract. This chapter illustrates how, while health services were being overwhelmed by the emergency in 2020, Italian local authorities delivered a swift response, with tangible results, in assisting the population. While the vaccination campaign continues, local authorities are expected to carry on their engagement in social and territorial cohesion, in the face of still dramatic consequences of the pandemic. Rather than returning to business as usual, they have the chance to learn from the experiences gained during the pandemic. In particular, they can develop new approaches to successfully address several challenges in many policy areas of local government, which is closely linked to the wellbeing of individuals, families, social organisations, and the private sector. In so doing, they are deemed to uphold the democratic character of the local political process.
Keywords: Municipalities; mayors; local communities; trust; responsiveness.

1. *Introduction*

Local authorities are the primary space for democratic life for many citizens. Millions of people, including many young indi-

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viduals, are engaged in grassroot political organisations and institutions around the world. In Europe alone, there exist around 150,000 sub-national government units[2]. They have all found themselves in unprecedented circumstances with the pandemic.

National governments, not least the Italian one, have clearly demonstrated a lack of preparation in facing a major crisis; local administrations were equally poorly equipped. Covid-19 has revealed the fragility of contemporary social and economic systems, where 'a small cog out of place undermines the whole mechanism' and, hence, resilience is not to be taken for granted (Mazzeo, 2020, p. 51). In such a global crunch, 'the scale of meaningful action is often, paradoxically, local' (Morgan and Kaye, 2021). Therefore, even though 'the focus of the media hubbub has rested on the merits or otherwise of national government decisions' (*Ibidem*), it is the local authorities who have been central actors in the struggle against the pandemic and its social and economic consequences, achieving remarkable results.

This chapter centres on the responses provided by Italian local authorities to the pandemic and the impact of the latter on local democracy. The next section will outline a brief overview of the tasks, roles and undertakings of municipalities during the various phases of the pandemic. Section 3 will assess the status of some key features of democracy, drawing from Dahl's landmark definition, at the local level. The conclusive remarks will offer some considerations on the perspectives and challenges for Italian local policymaking and democracy.

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[2] https://www.coe.int/en/web/congress/overview.

It is useful to remind the reader of the division of public health responsibilities between the various Italian authorities, in accordance with the Constitution and extant legislation. To put it in concise terms, the state has responsibility for national health policies and standards of services, including crisis situations and the state of emergency, that is declared by the executive. Regions govern the healthcare system and facilities, including prevention schemes, and can introduce additional safety measures to those imposed by the state. Lastly, municipalities (*comuni*) – with mayors as their chief executive and official authority – are responsible for providing social assistance to households in need, as well as implementing national and regional regulations such as social distancing and the closing of commercial facilities.

2. *Local authorities amid the pandemic: a concise account*

With its multiple facets – health, social, economic, financial, psychological, etc. – the crisis triggered by the pandemic 'has highlighted the unique frontline role of local authorities, the level of government closest to citizens' (CoE, 2020b, p. 8). Italy's 8000-odd *comuni* have been notable 'protagonists' in the solidarity effort and in supporting the economic fabric on a local level (Piazza, 2020, p. 1011). In particular, as 'the most influential figure of local administrations'[3], mayors have played 'a key role in managing problems in times of crisis', thereby proving – although not in all cases – an effective leadership (Garavaglia and Sancino, 2020, p. 222).

[3] Owing to the personalisation of local governments that occurred after the establishment of the direct election of mayors by Law No. 81 of 1993.

2.1 The lockdown

The first phase of the emergency, from the imposition of the first lockdown until its gradual lifting (February – June 2020), was characterised by a steady cooperation and information exchange among local and regional authorities, as well as between them and the government. During the whole pandemic, political tensions and competition has been observed between many regional governments and the national cabinet, yet relationships with *comuni* have been smoother and more collaborative. In fact, the national association of municipalities (ANCI) has taken part in the design and implementation of national schemes and initiatives to cope with the crisis. In addition to participating in relief schemes introduced in a top-down manner by the state and the regions, municipalities:

> 'have been strongly solicited in terms of material aid for those in need, and for monitoring the spread and consequences of the virus in cooperation with regional health bodies. In addition', they 'have also been extremely active in developing new support initiatives' (CoE, 2020b, p. 25).

The most crucial tasks they performed were:

Assisting the population

Local administrations played a 'unique role' in assuring assistance to inhabitants throughout the country and were overtly used by the government to this purpose (Piazza, 2020, p. 1012). In fact, the government could not offer the same rapidity and capillarity that local authorities exhibited in providing the population with the responses that were urgently needed, such as: arranging home supplies of food, medicines, and other essential items; setting up 'initiatives to counter isolation and loneliness' (CoE, 2020b, p. 25), such as online

events, psychological aid hotlines, the home delivery of items from libraries; urging residents to check regularly on their neighbours; organising initiatives for specific vulnerable groups, such as care services for people in quarantine and 'practical help for elderly people in precarious situations' (CLRA, 2021b, p. 10); setting up emergency aid funds[4]; managing the application and delivery process of vouchers for groceries[5] for destitute residents; and taking care of tombs and burial monuments when cemeteries were shut (Garavaglia and Sancino, 2020, p. 224). Many of these efforts were often created *ad hoc*, with no previous experience or routine to follow.

Mobilising solidarity

To support *comuni* in these manifold activities of assistance, voluntary resources in most local communities were formidably mobilised. Neighbourhood, town and intermunicipal networks were created to gather volunteers from the civil emergency organisation (*Protezione civile*), the Red Cross and similar bodies, veterans' associations (*Associazione Nazionale Alpini*), voluntary firefighters and paramedics, local charities, and individually active citizens. In order to coordinate all their efforts, as well as provide interpretations of new safety regulations, operating centres were promptly set up everywhere, either at the municipal or intermunicipal scale. Under

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[4] For instance, the City of Ravenna distributed payroll subsidies to workers and employers whose activities had been locked down, as an advance payment of the sums that state services were not able to grant swiftly (Piazza, 2020, p. 1013).

[5] By using funds (400 million €) granted by the Government following a decree published on 28 March. A similar initiative followed in November 2020 with decree no. 154.

the pressure of a 'life-or-death public health emergency', hence, administrations fruitfully developed capacities in building and managing networks comprising both public and private players, in some cases overcoming 'the traditional siloed, hierarchical and bureaucratic ways of working' and experimenting 'a more collaborative culture and a more agile model of service delivery' (Morgan and Kaye, 2021).

Communicating

Local governments also broadened their communication activities. The use of their social network accounts was enhanced[6], with intensive news coverage of the pandemic's local evolution provided through posts as well as live broadcasts by mayors. Information was constantly disseminated on the precautions to follow, the behaviours to adopt (#stayhome) and assistance efforts, together with regular updates on new rules to be enforced (notably through government decrees, regional and municipal warrants) and the closures of public services and facilities[7]. Social media were also used for sharing fundraising activities, as well as to call for:

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[6] Thereby allowing for a 'direct, informal, dynamic' communicative style 'with a language close to everyday conversation, so as to bring governments 'nearer to citizens, who [could] find useful information on the FB page, especially when, like during the pandemic, a lot of "fake" news [was] spreading around the web.' (Mori et al, 2020, p. 11).

[7] For example, the City of Milan launched the website 'Milano Aiuta' to centralise and coordinate all information to the public concerning the delivery of grocery packages and lunch boxes, assistance with personal needs for the elderly, the rallying of volunteer citizens for help activities, donations to the local relief fund. See: https://www.comune.milano.it/web/milanoaiuta.

> people's time and participation in sheltering and assisting the more disadvantaged citizens in any way they [could], such as picking up groceries for individuals who [were] unable to leave home or sharing information on ways to support local businesses who [were] struggling to pay their employees (Mori et al, 2020, p. 9).

Monitoring compliance with the rules

Municipalities, which are responsible for local policing, monitored public and business compliance with the safety regulations, including lockdown measures. Local police checks were also intended to help the public feel the presence and closeness of authorities (Garavaglia and Sancino, 2020, p. 224). Overall, people seemed to react to the emergency 'calmly' and 'responsibly'[8], with very few 'blatant situations of restriction circumvention" (CLRA, 2021b, p. 18).

Easing the tax burden

In the area of taxation, thanks to national urgency provisions, authorities have been able to extend deadlines for the payment of local duties. Many have opted for reducing or even exempting businesses heavily affected by the lockdowns, such as in the retail and catering sectors.

Running local services

Meanwhile, even though most of their employees were working from home[9] or not working at all, the *comuni* were busy in

[8] *Vecchi: "La resilienza dei Sindaci ha sostenuto le comunità locali durante la pandemia"*, ANCI press release, 7 April 2021.
[9] Following the regulations on smart working introduced by decree no. 18 of 17 March.

running local services, most of which continued to work without interruption in the domains of social care, public transport, street cleaning and waste management, with special arrangements for dwellings hit by Covid-19.

All the activities described above were not problem-free. Besides the financial pressure, on which we shall focus later, local powers were often uneasy about national regulations that had to be uniformly enforced throughout the country, even though the so-called ‘first wave’ did not affect all regions with the same harshness. Moreover, they often had difficulties interpreting and then enforcing governmental rules (Garavaglia and Sancino, 2020, p. 224).

2.2 The reopening of the country and the path towards the end (?) of the pandemic

With the incremental lifting of the lockdown in late spring 2020, local governments had to fight on many fronts. Summer camps and activities for the youth had to be urgently organised, amid strict regulations on social distancing and sanitisation, so as to afford some relief to families. Subsequently, preparations were needed for the start of the school year in September. Municipal facilities (libraries, sport centres, etc.) and services were reopened, despite employee scepticism and logistical issues around social distancing. The calendar and details of the reopening had to be communicated to the population, alongside the precautionary behaviours to be followed. Medium-term strategies to prevent a new pandemic wave, while preparing for it, had to be concocted. Non-repayable subsidies were granted to economic (shops, SMEs, coffeeshops, restaurants, etc.) and social (NGOs, co-operatives, charities) players through local calls.

For all this, financial resources were required; however, municipalities – that had been suffering huge cuts to state transfers since the beginning of the 2008 economic crisis – were facing enormous budgetary stress. While bearing most of the costs for the activities described above and unforeseen expenses[10], municipalities saw their own fiscal revenues, which represent around 70% of all their income, plummeting[11]. The cause was the suspension or cancellation of many local taxes and fees[12], either willingly introduced or imposed by the state, as well as shrinking receipts, if any, for services and activities that had been shut down or strongly limited during the lock-down[13].

Financial help was granted by the state[14]. Nonetheless, local authorities found themselves in hardship, also given that they are not allowed to take out loans to fund running expenses or missing revenues, in accordance with the budgetary golden

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[10] For instance, to provide for extra street cleaning or to guarantee medical equipment, sanitization, and all that was necessary in elderly people homes and town halls.

[11] According to estimates, municipalities lost between 5.4 and 8.7 billion € (Piazza, 2020, p. 1018).

[12] For example, the taxes on local waste disposal and the fees collected for the use of public spaces by shops, restaurants, and cafés, which have not been applied since after the lockdown ended.

[13] Such as: the tourist tax; fees on commercial advertisements in public spaces; parking fees; traffic fines.

[14] Made available in successive rounds by the decrees no. 18 (*Cura Italia*), 34 (*Decreto Rilancio*), 104, 137 (*Decreto Ristori*), 149 (*Decreto Ristori bis*), and with the 2021 budget law. Such transfers amounted to nearly 6 billion € to cover costs borne by local authorities to run their essential functions (Piazza, 2020, p. 1018). Nevertheless, this financial aid, that was only directed to cover running costs, has not been enough for most municipalities (Padovani, 2021).

rule (Piazza, 2020, p. 1016). Therefore, the ANCI engaged in lobbying the executive, stressing the municipalities' closeness and support to the population during the lockdown, particularly in rural areas[15]. At the same time, they insisted on calling for financial relief for the local socio-economic fabric, not only to preserve the economy and employment, but also the social capital of Italian communities. In addition, they repeatedly urged the executive to take into account their needs in drafting Italy's requests for the EU Recovery fund, focusing particularly on local cohesion, a fair balance in investment between metropolitan and rural areas, and new opportunities to hire personnel[16].

Since the autumn of 2020, Italy – like the rest of the world – has been lurching between phases where partial lockdowns have been imposed and then lifted following the evolution of the disease. Local powers have continued to perform their own functions, striving to ensure social cohesion by adapting to the ensuing regulations, not unlike what had previously occurred.

As the prospect of mass vaccinations emerged in late 2020, so did the urgency of setting up vaccination centres throughout the country. In many instances it was municipalities, and notably the provincial capital cities, that had to arrange for it, by turning to the private sector (gymnasiums, training grounds, private health centres, etc.) wherever public structures were not available. At the political level, the federation of municipalities rejected calls to include mayors in the first

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[15] *Piccoli Comuni. Castelli: "Con pandemia riscoperta loro centralità, su status sindaci è ora di misure strutturali"*, ANCI press release, 17 December 2020.

[16] To develop the capacities of *comuni* in project creation and implementation, so as to fully take advantage of the NextGenerationEU scheme.

groups eligible for vaccination[17] and kept on lobbying the cabinet for financial aid.

To sum up, this section has focused on how local administrations, together with health services, have been at the frontline of the struggle against the pandemic. In a very short time, they had to adjust both the nature of their tasks – to be massively redirected at supporting communities – and the means by which these had to be performed. They often did this in creative ways. Despite the confusion around the many rules that have been issued, and the uncertainty regarding the evolution of the health crisis, they have actually fulfilled the role of the state's 'operational arm' in containing the contagion and helping the population (Garavaglia and Sancino, 2020, p. 222), showing an unprecedented, and possibly unimagined, ability to adapt and learn. Incidentally, this consideration also concerns communities in cities, towns, and villages, which during the first lockdown showed a high degree of generosity and solidarity, at times steered by the public sector.

3. *Local democracy in the pandemic*

This section offers some indications regarding the health of local democracy in the emergency circumstances experienced in the past three years. The following thoughts centre around some of the defining dimensions of democracy, as conceptualised by many variants of democratic theory. They do not include other basic 'guarantees' of democracy, conceived by Dahl (1971, p. 3) as the 'government of the many' or 'polyarchy', such as: universal voting rights, 'eligibility for public

[17] *Decaro: "Vaccini prima ai sindaci? Grazie, no"*. ANCI press release, 11 March 2021.

office', and 'alternative sources of information'. In fact, these go beyond the local level and, additionally, are thoroughly examined in other parts of this publication.

3.1 Rule of law

This is a fundamental aspect of democracies, given that such regimes are supposed to protect human rights and civil liberties from governmental abuse, such as the freedom 'of expression' and 'to form and join organisations' (*Ibidem*). It is not the purpose of this work to assess whether Italy's government has possibly mishandled its constitutional powers in constraining citizens' rights. Instead, we should briefly illustrate how local authorities have used their own legal powers, and how the central government has acted in respect of local autonomy.

At the start of the emergency, to contain the spread of the virus, Decree No. 6 of 23 February 2020 allowed local lockdowns and comprised (art. 2) a provision for further and stricter measures to be introduced by 'competent authorities'. Moreover, it included (art. 3 par. 2) the possibility for mayors and regional presidents, pending the introduction of governmental decrees imposing lockdowns, to issue warrants for health-related matters to be enforced in the area of authority in cases of exceptional need and urgency (*ordinanze contingibili e urgenti*)[18]. Thereafter, several municipal (and regional) orders were published. Later on, many were judged excessive or unlawful by administrative courts and authorities and were

[18] Such warrants are based on: Law No. 833/1978, art. 32; Legislative Decree No. 112/1998, art. 117; Legislative Decree No. 267/2000, art. 5, par. 5 (local government statute).

revoked. For instance, the warrants issued on 23 February 2020 by the five mayors of the island of Ischia, forbidding for over one month the entry of residents from the regions most harshly affected by Covid-19, were soon called off by the Prefect of Naples. The order issued in April 2020 by the City of Messina, introducing restrictions on boats wanting to access its harbour, was sued by the Government, given the strategic role of this harbour as gateway to Sicily from mainland Italy. On 9 April, the act was repealed by the President of the Republic after advice from the Council of State (*parere sez. I, n. 735*)[19].

As a result, the governmental Decrees No. 9 (art. 35) and No. 19 (art. 3), issued in March, forbad the adoption of *ordinanze* contrary to state rules and disposed the invalidity of those already published. In short, mayors were 'almost totally' deprived of the power to adopt orders for their own communities while at the same time – as shown above – municipalities were 'massively used for supporting the population' (Piazza, 2020, p. 1009). Nevertheless, at the beginning of the emergency, ANCI itself opted for a responsible and cooperative approach with the central government instead of claiming the strict observance of local autonomy by central institutions (*Ibidem*). On 24 February its chairman, Mayor Decaro, called on his colleagues to avoid initiatives not agreed upon in advance and to adopt 'homogeneous behaviours and interventions' to contain the spread of the virus, 'panic and alarmism'[20].

[19] See: Piazza (2020).
[20] *'Decaro: "No decisioni in autonomia. Iniziative solo con coordinamento unico nazionale"'*, ANCI press release.

Likewise in many other countries (Brown et al, 2020; CoE, 2020b), centralisation and administrative supervision of local bodies has been pursued to enable governments to act rapidly and steadily in the emergency[21]. Even the leading institution that monitors state compliance with the rule of law and democratic rights, the Council of Europe (CoE 2020a, 2.4), in April 2020 pointed out that, under the control of parliaments and for a limited time, 'executive authorities should be able to act quickly and efficiently', including through 'simpler decision-making procedures' and by:

> easing some of the checks and balances. This may also involve, to the extent permitted by the constitution, bypassing the standard division of responsibilities between local, regional and central authorities with reference to certain specific, limited fields, to ensure a more co-ordinated response to the crisis.

A certain degree of centralisation and expansion of executive power has indeed been enacted in Italy, notably through the extensive use of decrees. This could have 'dramatic implications for the democratic space' (Brown et al, 2020, p. 2). Nevertheless, the conferences that make up standing arenas for consultation and coordination between the government, regions, and local authorities (metropolitan cities, provinces and municipalities) have been consistently empowered throughout the emergency situation. Moreover, representatives from ANCI 'have been involved in the daily crisis meetings of the Civil Protection Department (...) and therefore have had opportunities to make their voices heard' (CoE,

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[21] A process that illiberal leaders around the globe have largely taken advantage of to further restrict freedoms and strengthen their own grip on power. See: Brown et al. (2020, p. 1-2); V-Dem Institute (2021).

2020b, p. 18). In this way, local powers have been permanently close to the decision-making, as well as the implementation of legal provisions and schemes aimed at curbing the health risk and supporting economic categories and households.

To summarise, at least during the initial months of the pandemic, all public activities and regulations were forcibly, yet also willingly, coordinated, and several local unlawful departures were proscribed by courts, sued by either the government or citizens and social organisations. Undoubtedly, there has been friction between the layers of government, motivated by the dynamics of political competition. However, this mostly concerned regional presidents, often heavyweights within national political parties, in the context of the 2020 regional election campaign, that obviously incentivised competition between local and national officials (Gasperoni, 2020, p. 817). Moreover, such hostility has been less dramatic than in other contexts, like the Trump-led USA or less democratic countries such as Hungary and Turkey (Brown et al, 2020, p. 6). In Italy, as far as local democracy and autonomy are concerned, the rule of law has been upheld, although not without tensions.

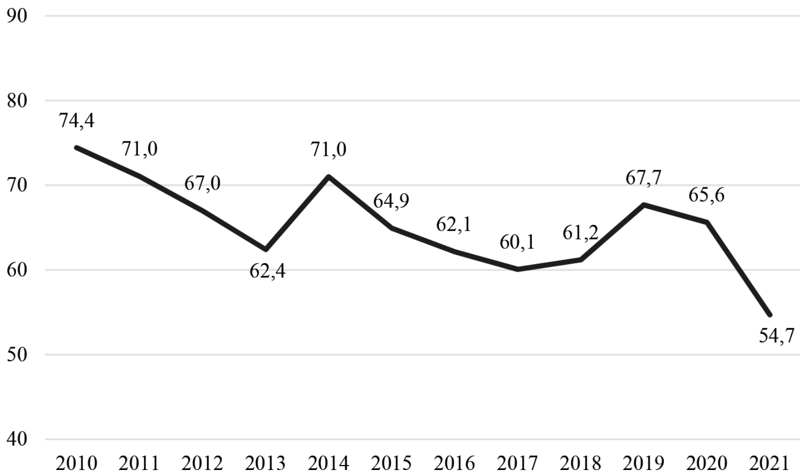
3.2 Accountability

In Dahl's conceptualisation of polyarchy, accountability is one of the tenets. It relies on 'free and fair elections', the 'right of political leaders to compete for support', and 'institutions for making government policies that depend on votes and other expressions of preferences' (1971, p. 3). To these ends, an elected government, a peaceful electoral competition, and the public's involvement in public life are necessary.

In many countries, the pandemic has brought about disruptions to the electoral calendar. Italy had to postpone re-

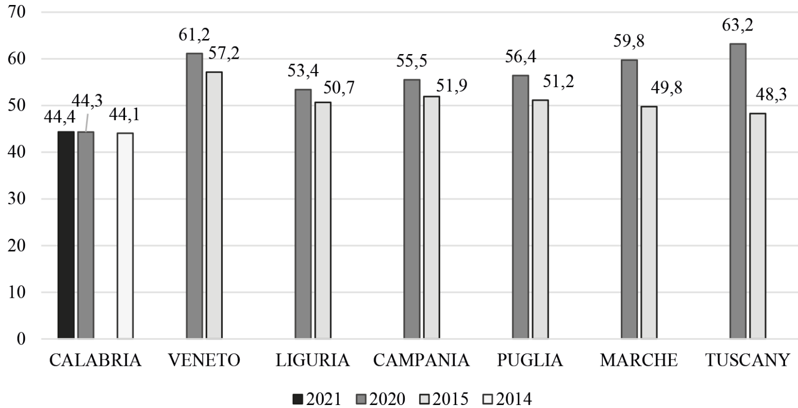
gional and municipal (in over 1000 *comuni*) elections originally scheduled for spring 2020; these subsequently took place on 20 and 21 September. Simultaneously, a nationwide constitutional referendum on the reduction of MPs was held, with a 51,1% turnout. Further regional municipal polls in 1192 *comuni* were called on 3 and 4 October 2021, with over 12 million registered voters. Figures 1 and 2 display the turnout in these and in previous cycles.

Figure 1 – Municipal elections turnout (%)



Source: Ministero dell'Interno

Figure 2 – Regional elections turnout (%)



Source: Ministero dell'Interno

It seems evident that the circumstances of the past three years have not driven Italian voters into polling stations in any great number. By comparing participation data in 2020 with those in 2015[22], an uptick can be noticed, maybe signalling a possible reconnection of Italians with public institutions. However, it ought to be underlined that these elections were held at the end of the summer, when the extent of infections and death rate looked under control. Furthermore, they coincided with a referendum on a salient issue, i.e., the cutback in the number of MPs. In fact, local elections held the following year, to which worn-out Italians were called 20 months after the start of the pandemic, showed a lower turnout than previous rounds. This was consistent with a long-term trend, thereby

[22] Regional assemblies and presidents, municipal councils, and mayors have a 5-year term.

regrettably bringing the country's democratic participation back to business as usual.

Regarding citizens' involvement in political life, two main phenomena stand out. First, 'while traditional approaches to representative democracy are difficult to sustain during a pandemic, digital tools make innovative and direct participation more plausible' (Morgan and Kaye, 2021). Many town councils – which had not previously been accustomed to the online broadcasting of meetings – have inevitably adopted streamed sessions, thereby making it possible for residents to attend them online, a far less costly approach than in-person participation[23].

Second, studying the communications on the Facebook pages of municipalities in 11 provincial capitals, Mori et al witnessed an 'extraordinary increase' in the number of followers, notably 'during the alert period' of late February. This clearly signals 'the responsiveness of the citizens' to institutional communication and their willingness to participate in authorities' attempts to bring them 'closer to the public administration' (2020, p. 10-11).

3.3 Responsiveness

'A key characteristic of a democracy is the continuing responsiveness of the government to the preferences of its citizens, considered as political equals' (Dahl, 1971, p. 1). When insti-

[23] The pandemic has offered many European local councils a motive to 'experiment with direct democracy' and 'to maximise inclusivity' by staging online meetings and making use of digital tools for engaging the population in deliberative endeavours (Morgan and Kaye, 2021), even within formal administrative procedures such as urban planning (Ciesielski, 2020).

tutions are ineffective in responding to the demands and inputs of citizens and social actors, these may feel disaffected and, perhaps, even justified in not abiding by the rules set by institutions. This is markedly dangerous in emergency circumstances.

Against the backdrop of local authorities' actions during the pandemic, it is possible to assess their level of responsiveness by looking at citizens' satisfaction with them. Although this may not be an exhaustive indicator, it is nonetheless of primary relevance to local officials, who are specifically accountable to citizens. The most systematic source of information is the yearly mayoral approval ratings poll run by the newspaper *Il Sole 24 Ore*. Its 2020 edition revealed high rates (over 60%) for several mayors manifestly engaged in combating the emergency, such as Decaro in Bari (also chairman of ANCI), De Luca in Messina and Gori in Bergamo, known as the city that was most heavily hit by the first Covid-19 outbreak (Trovati, 2020). Although the pandemic, by definition, is a global crisis, its immediate impact is foremost on a local level. 'When difficulties arise', Italians 'first look for the answer from their mayors. And they reward them when answers are given' while punishing inefficient administrations (*Ibidem*). In general, Italians approved of their mayors in 2020, with 83 out of the 105, who lead provincial capitals, backed by over 50% of survey respondents, whereas only 5 out of 18 regional presidents enjoyed similar popularity levels. Italians, hence, apparently value the way in which most mayors have coped with the crisis, working daily to solve the basic problems affecting their communities.

In the following survey, sixteen months after the outbreak of the disease and with economic recovery and the vaccina-

tion campaign at the centre of the public agenda[24], the president of Veneto and the mayor of Bari again emerged as the most popular local leaders, together with the mayors of Venice, Ascoli Piceno, and Bergamo. The results once again showed public dissatisfaction (with an approval rating below 40%) with the chief executives of the most indebted and inefficient municipalities: Naples, Palermo, and Catania.

Italians' approval of their leaders, both national and local, may firstly be motivated by a rally-around-the-flag effect, whereby in major crises public opinion tends to gather around leaders and to support their actions in facing the emergency (Visconti and Pellegata, 2021, p. 220). However, from the data illustrated here it can reasonably be inferred that citizens knowingly appreciate the actual conduct of many local leaders, summarised in section 2, while disapproving of the least effective ones. In other words, during the emergency, the chief decision-makers have shown 'organisational competence and practicality', and this has politically 'strengthened' them, thanks also to their forefront role on both social and news media (Garavaglia and Sancino, 2020, p. 222) and the 'centralisation' of 'technical, managerial' and political decisions in their hands, in a way never seen before (Gardini, 2020, pp. 15-16).

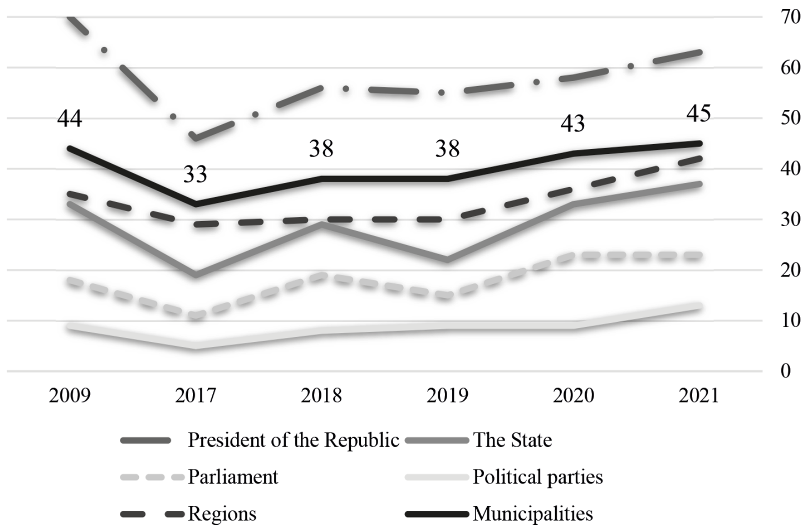
3.4 Legitimation

As is widely understood in political science, long-term low responsiveness and poor institutional performance may ulti-

[24] 58% of Italians were satisfied, whereas 40% not satisfied, with the government's handling of the vaccination strategy in August 2021 (*Eurobarometer flash – Stato dell'UE 2021*), against an EU-27 average rate of 50%.

mately result in democratic delegitimisation and crisis. Trust in political institutions is typically considered an indicator of their popular legitimation. As shown in figures 3 and 4, most Italians tend not to trust political institutions, with the exception of the Presidency of the Republic. Local and regional authorities, however, have consistently been more widely trusted than parliament and cabinet.

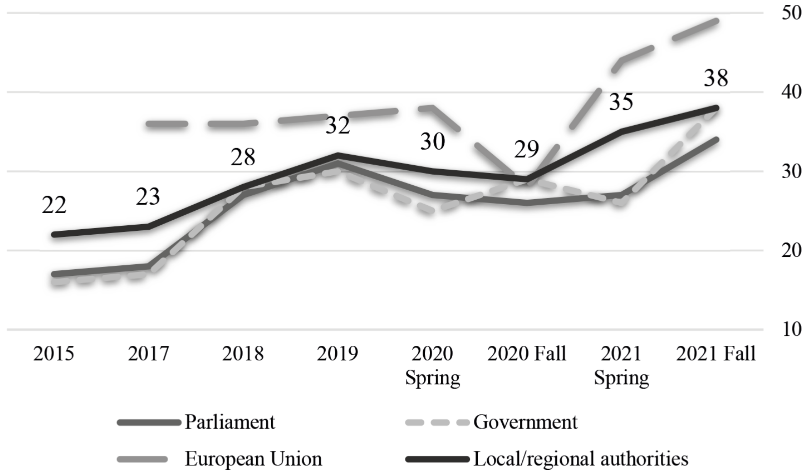
Figure 3 – Italians' trust in public institutions (%)[25]



Source: Demos, Gli Italiani e lo Stato reports

[25] The values consist of 'much' and 'very much' answers.

Figure 4 – Italian citizens' trust in... (%)



Source: Standard Eurobarometer

Incidentally, it should not be disregarded that, according to some observers (OECD, 2021), 'trust (in people and in institutions) has been an important resilience factor, with higher trust having contributed to Covid-19's containment'.

4. *Conclusion: local democracy after the pandemic*

In reacting to the first emergency and the following phases of the pandemic, most local administrations have shown sufficient promptness, shrewdness, and flexibility to gain widespread appreciation, as President Mattarella has recognised on many occasions. Local democracy seems not to have been severely threatened by the centralised decision-making that has occurred at all levels. Citizens' trust in local institutions

and political personnel, however, has yet to result in greater amounts of electoral participation or civic engagement.

According to experts (Ciciotti, 2021), new challenges have arisen from these troubled years. These concern several policy fields of sub-national competence. In each one, the responsiveness and effectiveness of local administrations is going to be appraised by citizens and stakeholders.

First of all, the crisis has had a deep impact on individual well-being, in the shape of financial difficulties, 'job disruption and insecurity', affecting predominantly 'people who were already struggling the hardest' (OECD, 2021). In 2022, living costs, and notably energy bills, are on the rise. Furthermore, 'confinement measures' and 'reduced social contact' have resulted in mental health issues for a growing share of people 'at risk of depression or anxiety' (*Ibidem*)[26].

In the commercial sector, the growth of online shopping, that has endured even after the lockdowns, is deemed to exacerbate the crisis of neighbourhood shops and, perhaps, shopping centres. At the same time, the 15-minute city idea is emerging, emphasising a strengthening in commercial and public services at the neighbourhood level to make cities more resilient.

As far as mobility is concerned, the likely long-term increase in teleworking and distance learning will reduce physical movements, leading to adjustments in working and learning times. In addition, it has been observed that social dis-

[26] The OECD (2021) reports that 39% and 40% of Italians were at risk of depression in 2020 and 2021 respectively, as compared to an average of 27% in 15 Western countries. In winter 2020 and spring 2021, people who reported feeling lonely 'most' or 'all of the time' in the previous 2 weeks were 17% and 20% respectively, against OECD-22 averages of 14% and 19%.

tancing rules have produced greater individual urban mobility. Supposedly, all this will generate the demand for new infrastructure (e.g. preferential lanes) and public transport services.

In terms of planning, teleworking will reduce the need of companies in some sectors for physical space in the form of traditional offices. Moreover, the crisis will likely accelerate trends of lower- and middle-class displacement to outlying areas or smaller cities, where housing is more affordable (Ciciotti, 2021, p. 2). All this might imply renewed urban sprawl pressures alongside the risk of new empty or underused areas in urban centres. Planning for resilience in respect of future health risks will have to design much greener cities, with more open spaces (*Ibidem*). At the same time, peripheral areas – that typically offer lower living standards to residents – should be made more attractive to reduce the concentration of inhabitants in urban zones.

To conclude, the plight of recent years has also highlighted some lessons that might be useful to delve into, in order to address the challenges mentioned above. They all represent enormous opportunities for investment and for a joint multilevel policy approach, which the National Recovery and Resilience Plan (PNRR) should boost.

Firstly, authorities need to undergo a digital revolution towards genuine and inclusive e-government. Fibre broadband connectivity should be made available throughout the country, reaching even remote communities, so as to enhance the competitiveness of the productive sectors and reduce the digital divide (*Ibi*, p. 4-5).

Secondly, governments now need to rebuild not just economic prospects and assets, but also 'stocks of natural, human and social capital' at the local level, as an opportunity to tackle 'several interconnected environmental, economic, social,

and relational challenges which pre-date Covid-19' (OECD, 2021). From this perspective, local governments could make a fundamental contribution, possibly developing policies for healthier lifestyles[27].

Thirdly, in light of the positive cooperation shown during the pandemic, it is desirable that recovery policies and 'crisis prevention plans' be '(re)designed' with the participation of all government layers, to ensure a 'successful implementation (...) in the common interest of all levels of government and citizens' (CLRA, 2021a, p. 4).

Finally, as we have illustrated, the challenge to democracy represented by the pandemic has triggered positive reactions from both civil society and the public sector. Italian democracy was not very efficient prior to the pandemic, and it hasn't changed much during the course of it. The Economist Intelligence Unit (2021) classified the country as a 'flawed democracy' both in 2019 and 2020, while the V-Dem Institute (2021) gave it a score of 0.78 (on a 0 to 1 scale) on its 2020 liberal democracy index, placing the country 21st, up from 0.77 points and its 22nd place in 2019. Disaffection with politics and electoral apathy have been growing for years, while cabinet instability has not diminished. However, local democracy presents a brighter image. On its 'participatory component index', which combines 'participation and representation through local and regional governments' with 'civil society organisations' and 'mechanisms of direct democracy', the V-Dem Institute (2021) put Italy in 3rd place in 2020, behind Switzerland and Uruguay, with a 0,77 score (unchanged from 2019). Coupled with data on citizens' trust, this is a rather promising picture for the legitimation of local political pow-

[27] ANCI press release, 17 December 2020.

ers and processes. With regard to accountability and participation, 'local governments have improved their degree of interaction' with residents, shifting their communication 'from traditional and one-way (...) to interactive digital tools such as social media' (Mori et al, 2020, p. 12), thanks to people's growing acquaintance with them. Thus, 'the digitalisation and on-line democracy triggered by Covid-19' are 'an opportunity to increase transparency and citizen participation in the local political process (...) as complementary to more traditional forms' (CLRA, 2021a, p. 2 and 5).

Against this background, it may appear a bit much to assert that 'the pandemic has contributed to a process of *local democratisation*' (Morgan and Kaye, 2021). However, it has undeniably helped to make people more aware of the efficacy of regional and local 'management of services and assets that are important to them' (*Ibidem*), such as health and social care. In the medium term, while striving to overcome the numerous difficulties in the (we would hope) aftermath of the pandemic, Italian local governments can be expected to address the challenges we have highlighted, without endangering local democratic mechanisms and effectiveness. Indeed, they should count on the many grassroots resources and encouraging opportunities that materialised during the toughest times of the crisis.

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Is the Italian Case Exceptional or Common? Covid-19 management and the Parliament-Government relationship in Italy, England, France, and Germany

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Abstract. This chapter carries out a comparative study of Government-Parliament relations in Italy, the United Kingdom, France, and Germany during the Covid-19 period. The aim is to verify whether the centralisation of power tendencies witnessed in Italy were common to other countries. For every State, we will analyse the role played by the Government, Parliament, and other Institutions in the decision-making process used to impose lockdowns and health measures. In all nations, scholars have raised similar criticisms of their Governments' actions, emphasising the marginalisation of Parliaments and the potential unconstitutionality of certain policies. Italy's crisis-management framework doesn't differ significantly from the one adopted by other nations. However, a difference worth highlighting is that, to date, Italy has managed the crisis with legislative tools not conceived for any emergency purpose due to the absence of state of emergency constitutional provisions and the lack of an anti-pandemic law.
Keyword: Covid-19; Parliaments Italy France Germany.

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Introduction

"Necessitas non habet legem, sed ipsa sibi facit legem." As the brocard states, since the times of Roman law, governing bodies have been entitled to use extraordinary powers in moments of unforeseen and unpredictable events. According to the WHO, Covid-19 is an ongoing international health emergency; thus, governments have centralised their powers to cope with it, limiting the legislative and oversight functions of legislative bodies (EPIN, 2021).

Given the exceptionally short decisional timeframe, the pandemic has represented an "unprecedented threat to Parliaments" (Norton, 2020, p. 237), whose work has also been hampered by social distancing rules (Bar-Siman-Tov, 2020). Furthermore, in the Italian case, certain scholars have considered the growth of government power and the marginalisation of the Italian Parliament to be exceptional, excessive, and dangerous for democracy (Olivetti, 2020; Specchia, Lucarelli and Salmoni, 2021). In this contribution, therefore, we aim to verify if what happened in Italy has occurred elsewhere, and if these issues are linked to the form of government and state structure.

To do this, we have used the Lijphart (2012) typology to select four European countries: two majoritarian (England and France) and two consensual (Italy and Germany) democracies. The comparison between Italy, England, France and Germany is further simplified by the fact that they don't have "overly similar" or "overly dissimilar" characteristics (Sartori, 1971, p. 15). These four countries all have consolidated parliamentary democracies, and differ only in terms of governmental power or the centre-periphery distribution of authority.

In order to verify the hypothesis, this work has been organised as follows. The first two sections will be dedicated to the

Italian case. Here we will analyse the policies undertaken by the government and the critical issues highlighted in the academic literature. The next three sections will be dedicated to the United Kingdom, France and Germany respectively. Emphasis will be given to the role of parliaments and the centralisation of power in the hands of the executive. Based on this comparative analysis, we will then use the sixth section to discuss whether the critical issues that emerged in Italy were common to other nations as well. In the conclusion, it will be argued that the Italian case did not represent an anomaly, although some precautions could have been taken to centralise Parliament to a greater extent.

1. *Italy: centralised management with a variable form of concentration*

During the pandemic, the policies of the Italian government have used multiple mechanisms for coordinating with other Institutions. The legislative procedures employed had rarely been typified before, and the Prime Minister's powers were enhanced as the pandemic developed. Up till February 2020, the Government used ordinary legislative tools; from March to April 2020, as cases and deaths peaked, it employed more centralised instruments, characterised by very little parliamentary and judicial control. From May 2020 up to the present, progressive familiarity with the handling of Covid-19 has led the Executive to establish new procedures, granting increasingly greater control to the Italian Parliament.

At the beginning, the crisis was managed through the implementation of expected by-laws. The Minister of Health ordinances issued to block arrivals from China (January 25th) were based on the founding National Health System law (Law

833/1978); similarly, the state of emergency (January 31st) was declared according to the Civil Protection Code (Legislative Decree 1/2008). During an emergency, the Prime Minister is authorised, "through the head of the civil protection department" (art. 5), to adopt "ordinances contrary to the laws in force" (art. 25), in order to respond proportionately "to emergencies of natural significance connected to natural or human calamitous events" (art. 7).

Thanks to this power, the Head of the Civil Protection Department ordinance of February 5th established a seven-member Scientific Technical Committee (*CTS – Comitato Tecnico Scientifico*). Initially composed of three epidemiologists and four ministerial chiefs of staff, the CTS was established to counsel the Government on the health measures needed. Furthermore, on March 17th, the Government nominated an Extraordinary Commissioner for the Covid-19 emergency (Domenico Arcuri) and granted him the power to adopt ordinances contrary to current legislation. For instance, PPE masks and medical equipment for hospitals were purchased with ordinances by the Extraordinary Commissioner for Covid-19 or Head of the Civil Protection Department.

However, these tools were not suitable for imposing restrictions on personal freedoms, as the ordinances of Civil Protection (Legislative Decree 1/2008) were intended only to manage natural disasters (fires, earthquakes, floods). Since Italy didn't have any anti-pandemic law available, the Government was forced to create a new legal structure to curb the personal freedom of citizens. With this aim in mind, the Decree-law 6/2020 of February 23rd authorised the Government to establish Decrees of the Presidency of the Council of Ministers (DPCM) in order to impose, without any temporary restriction, the closure of schools and cultural/economic activities, as well as to limit the freedom of movement of citizens, in

all geographical areas where "at least one infection occurs" (art. 1). Moreover, a "general clause" of Decree-law 6/2020 allowed the Government (Mangia, 2021, p. 155) to use DPCMs to institute "any other restriction to counter the spread of the pandemic" (art. 2).

Although the Italian Regions were allowed to express a non-binding judgement before the adoption of DPCMs, the Government was given *de facto* permission to do anything it deemed necessary to counter the pandemic, without Parliament's approval. For instance, through this procedure, all schools throughout the country were closed using the February 25th DPCM, while a national lockdown was established with the March 22nd DPCM.

Before Decree-law 6/2020, DPCMs could only be used as a regulatory act to internally organise the offices of the Prime Minister, as stated in the law on the Presidency of the Council of Ministers (l. 400/1988). It was only during the pandemic that DPCMs became emergency ordinances, like the ones employed by Prefects (rd. 771/1931) or mayors (Legislative Decree 267/2000) for reasons of public order (Furno, 2021).

The DPCM adoption procedure changed on March 25th, with Decree-law 19/2020. Firstly, it was established that the adequacy and proportionality of health policies had to be evaluated by the Technical Scientific Committee (CTS) before such policies could be imposed. Secondly, a 30-day sunset clause, with possibility of renewal, was introduced to limit the validity of DPCMs. Thirdly, the disputes that occurred between Regional and DPCM policies (Longo, 2020) were addressed by establishing that Regions could only impose measures that were more restrictive than the ones introduced by the Italian Government. During the conversion of this decree-law, thanks to an amendment by a majority MP, it was stated that the policies contained in the DPCM should be

communicated in advance to the two Chambers so that they could vote them through a parliamentary resolution. This modification came into force with the conversion law of Decree 19/2020 on May 22nd.

Shortly before, on May 11th, a majority motion was approved by which the Chamber of Deputies committed the Government to "favouring the instrument of the decree-law when it was a question of introducing limits to fundamental rights" (Motion no. 1-00348). Contrary to DPCMs and according to the Italian Constitution, a decree-law can be amended and loses its validity if it is not converted into law within 60 days by Parliament (art. 77 of the Constitution). Additionally, it can be supervised by the President of the Republic and, ultimately, by the Constitutional Court. For these reasons, scholars consider the decree-law a better tool than the DPCM for limiting individual rights (Nicotra, 2021). Following these indications, the new health measures have been set to be introduced by decree-laws. This applies also to the state of emergency, which has been extended until the present day thanks to decree-laws. Even the Draghi government, which replaced the Conte II government in February 2021, has primarily used decree-laws to impose restrictions, using DPCMs only to implement policies.

2. *The Italian criticalities between changes in the form of government, the unconstitutionality of measures, and poor management of the pandemic*

Law and political science scholars have criticised Italy's handling of the pandemic, focusing mainly on the first wave of Covid-19 (February-June 2020), which occurred under the Conte II government. Negative evaluations concerned the

change in the form of government, the unconstitutionality or illegitimacy of certain laws and ordinances, as well as the overall management of the epidemic.

Regarding the form of government, the thesis is that the sovereignty of Parliament was violated (Specchia, Lucarelli, and Salmoni, 2021). This is because from February 23rd (the passing of Decree-law 6/2020) to May 22nd (the passing of the conversion law of Decree-law 19/2020) the Government decided autonomously on all restrictive policies. The delegated legislation nature of DPCMs made them, *de facto and de jure*, acts that could not be amended or rejected by Parliament. Consequently, possible abuses of power could not be prevented by the Legislature (Brunelli, 2021).

Regarding the "presidentialisation" of the government (Calise, 2005), some existing bad practices in Italy were accentuated during the pandemic (Lippolis, 2021). Firstly, several rules contained in decree-laws undergoing parliamentary conversion were cancelled by subsequent decree-laws (decree-laws "*Ristori bis*", "*Ristori ter*" and "*Ristori quater*"). Secondly, a 3-month extension was granted to the entire delegated legislation that had to be issued by August 31st, 2020 (Decree-law 18/2020). Thirdly, several decree-laws approved were too long and complex to be exhaustively examined by both chambers within 60 days, leading to rushed readings in the second chamber and turning Italian bicameralism into a unicameralism in practice (Lupo, 2021).

Moreover, several scholars considered Decree-law 6/2020 partially unconstitutional, because it assigned unlimited powers of intervention to the government in addressing the pandemic (violation of the principle of legality) (Cassese, 2020; Mangia 2021; Raffiotta, 2021). Others have highlighted how the juxtaposition between the many ordinances of Mayors or Regional Governors and the excessive Prime Ministerial De-

crees gave rise to a legislative misalignment between the sources of law, contradicting the principle of legal certainty (Furno, 2021; Longo, 2020). For example, the non-compliance of DPCMs with the principle of legality has led several Justices of the Peace to lift fines issued for violations of restrictive measures (Specchia, Lucarelli and Salmoni, 2021).

Political scientists also focused on the management of the pandemic by the Conte II government. Their assessment covered both the legal instruments used (i.e. the DPCM) as well as the organisational ones. For example, the creation of 15 task forces to support the government's work was seen as a sign of uncertainty and confusion. These committees, whose areas of focus ranged from the creation of equal opportunities ("Women for a new Revival Task Force") to the economic renaissance of the nation ("Colao's Committee"), were made up altogether of more than 450 people and played an unclear role in the formulation of governmental policies (Galanti and Saracini, 2021). Capano (2020) considered these an 'accountability problem', due to the government's need to continuously legitimise itself and deflect responsibility for any wrong public policy.

Other academics interpreted the pandemic as a "policy window" for Prime Minister Conte to become a political leader (Bull, 2021). Thanks to a paternalistic and personalised political communication style (Amoretti, Fittipaldi and Santaniello, 2021), he was able to tune in to the insecurities of Italians and feed a national sentiment, through what is known as the 'rally round the flag effect' (Ventura, 2021). Opinion polls indicate that citizens approved of his crisis management, while being more critical towards the economic measures of his government (Visconti and Pellegata, 2021). Capano (2020) states that the high number of Covid-19 deaths was caused by the historically low public investment in

health and by the incremental style with which policies between the State and the Regions were usually coordinated ('policy legacy').

3. *United Kingdom: laws with 'Henry VIII' clauses and controversies over the Prime Minister*

As was the case in Italy, controversies were also present in the UK. The English Government has legislated using ordinances that counter existing laws (Henry VIII clauses) and has been accused of underestimating the risks of Covid-19, clashing many times with the States (Scotland especially). Nevertheless, the UK differs from Italy in terms of its greater parliamentary control during the pandemic and the existence of previous emergency laws.

In fact, long before Covid-19, Parliament had approved the Public Health Control of Disease Act (1984), with which ordinances could be adopted for "preventing, controlling or providing a public health response to infection or contamination" (s. 45c), and the Contingencies Act (2004), which gave similar powers to the government in the event of terrorist attacks. For example, the February ordinances of the Ministry of Health were established through the Public Health Control of Disease Act (1984). This framework proved insufficient in mid-March, when the rapid increase in Covid-19 infections led the Government to enact a new anti-pandemic law.

On March 25th, with the Coronavirus Act, a new mechanism was instituted in order to implement the delegated legislation. The main difference from the Public Health Act was the codification of the Henry VIII clauses. According to these, the Government could amend, cancel, or ignore laws through regulations, including those contained in the Coronavirus

Act. Thanks to the Henry VIII clauses, for instance, the Government would have been able to lift the mandatory two year sunset clause for its Covid-19 ordinances (established in the Coronavirus Act), making them permanent (Bar -Siman-Tov, 2020).

However, this power was balanced by the authority of Parliament and the United Kingdom States, granted by previous laws and praxis (Anderson, 2021). Firstly, parliamentary motions had the power to suspend the validity of government statutes before they came into force (affirmative procedures) or after (negative procedures). Secondly, the individual states (Scotland, Wales and Northern Ireland) were able to establish restrictions other than those introduced by the central Government, since health was a sector included in the 1997 devolution.

This contributed to a disorderly relationship between the States, which, together with violations of the principle of proportionality (Pugh, 2020), has led scholars to express concerns on the illegitimacy of the governmental ordinances as well as the Coronavirus act. The policies of the Government were often not endorsed by the Prime Ministers of Wales, Northern Ireland and Scotland, who autonomously imposed early lockdowns or school closures in their states. There have also been frequent public disputes between Prime Minister Johnson and the Scottish Prime Minister Sturgeon. Proof of this lack of coordination can be found in the Summer of 2020, when each State had its own contagion tracking app, except for Wales and England that shared a common one (Anderson, 2022). In order to avoid conflicts, at the beginning of the pandemic, in March and April 2020, COBRA meetings attended by representatives of the Scottish, Welsh and Northern Irish Governments were assiduously held. This

committee made possible the monitoring of central Government's work, often reaching shared agreements.

The British Prime Minister has also been heavily criticised for being reluctant to impose restrictive measures. For example, in early February he promoted herd immunity, while in August 2020 he approved the "eat out to help out" policy, reimbursing restaurant customers half of the bill and contributing to the growth of infections in September 2020 (Smith, 2021). On the other hand, scholars have evaluated positively the fact that all the restrictive policies have been contained in a single code (Coronavirus Act), making the measures more transparent and easier to be nullified when the pandemic is over (Coramcin, 2020).

4. *France: presidential management with the control of a parliamentary Commission of Inquiry*

The legislative framework adopted in France for crisis management purposes shared several similarities with the one implemented in the UK. The country already had laws for any state of emergency but decided to change them in favour of a more centralised decision-making process. In this regard, the Senate's decision to equip itself with a Commission of Inquiry was unique.

Prior to the pandemic, France could curb personal freedoms through constitutional provisions for a state of siege (art. 36) or a threat to national independence (art. 16), and through the Emergency Act (1955) for matters of public order. Health-wise, the *Code de la santé publique* (CSP) could grant ordinance power to the Minister of Health so as to counter the spread of a pandemic.

As a result, up to March 23rd, three states of emergency were possible and Covid-19 was managed with the already existing tools. For example, the emergency health program (ORSAN system) was activated thanks to the CSP. However, the ordinances of the Ministry of Health were not considered sufficient to impose a lockdown (March 16th). Therefore, restrictions were enforced by resolution of the Council of Ministers, based on the "*théorie des circonstances exceptionnelles*", which allows the adoption of regulations contrary to the law in circumstances of war. The comparison of Covid-19 to war (the doctrine dates back to a 1918 episode) was not necessary for the CSP law, but it was inserted as a precaution to avoid any possible violation of the principle of proportionality (Platon, 2020).

The next step was the approval of the Epidemic Act (March 25th), which amended the CSP. The Government declared the 'State of health emergency', during which the Prime Minister (rather than the Minister of Health) could adopt anti-pandemic ordinances that were to be enforced directly by the Prefects. This emergency state was then validated by Parliament in the following month. Furthermore, a six-member technical-scientific advisory committee was formed, with the President of the Republic and the Presidents of the Assemblies nominating three advisors respectively.

The replacement of the Minister of Health by the Prime Minister was prompted by political motives, the Prime Minister being appointed directly by the President of the Republic. Transferring decisional power to the head of the government meant giving Macron greater supervisory power (Sartoretti, 2020). The President himself also managed the pandemic eccentrically, often addressing the nation on TV and taking de facto decisions on his own in concomitance with the Health Defence Council, a body he chaired and which comprised the

ministers of health, defence, interior, economy and labour as well as the Prime Minister (Hassenteufel, 2020).

The excessive presidentialisation was criticised by law scholars, who pointed out that the Covid-19 measures gave more powers to the government and fewer controls to Parliament than those established by the State of Emergency Act (1955). Furthermore, the local elections on March 15th (held one day before the lockdown was imposed) have been heavily criticised (Deffenu and Laffaille, 2020; Hassenteufel, 2020).

Parliament was able to supervise government legislation only after it had been introduced. This was achieved through its oversight powers, such as the canonical question time, and, most importantly, through the approval of a commission of inquiry within the Senate (June 30th). This commission revealed the scarce public investment in health and the culpability of the Health Ministry's Director-General in not renewing the purchasing contracts for PPE masks (Hassenteufel, 2020).

5. *Germany: federal management with existing laws*

Germany differs from the other nations considered, as its pre-pandemic public health investment was greater than that of the other European nations, meaning that its hospitals never reached their capacity limit during the first wave (Woelk, 2020). Moreover, its management followed constitutional and legislative provisions. Previously existing anti-pandemic laws were employed and decisions were coordinated with the *Länder,* according to the federal constitutional framework. In particular, the Government strictly followed the principle of "executive federalism", according to which the *Länder* are re-

sponsible for the application of federal legislation (Gatti, 2020).

The current constitution, mindful of Hitler's use of art. 48 of the Weimar constitution, does not incorporate any significant centralisation of power for emergencies. Firstly, art. 74 declares that the management of the pandemic is under concurrent legislation and, secondly, art. 11 states that the law in the event of a pandemic can establish limits on citizens' freedoms.

Since 2001, Germany has had the *Infektionsschutzgesetz* (IfSG) law, thanks to which the Robert Koch-Institut (RKI), an agency of the Ministry of Health, had previously prepared an anti-pandemic plan. The IfSG grants the *Länder* the powers to track and trace infected individuals and to declare ordinances aimed at limiting the spread of infection. During Covid-19, the pandemic plans were updated, and on March 25th, through the *Corona-Krisenpaket* laws, the Parliament instituted an "epidemic situation of national scope", which allowed the Federal Government to modify any Covid-19 acts issued by the *Länder*.

However, this federal supremacy clause was never employed as the Government opted for a "decentralised and coordinated" method of concertation with the *Länder* (Hegele and Schnabel, 2021, p. 13). Once a week, Chancellor Merkel met with representatives of the *Länder*, and, according to the indications of the RKI, restrictive policies were agreed together. These decisions were enforced for citizens through *Länder* ordinances, with some, such as Bavaria, implementing even more restrictive ones (Woelk, 2020).

Some scholars have considered this decisional framework as contrary to the constitutional principle of concurrent legislation, due to the provision of a federal supremacy clause in the *Crown-Krisenpaket*. However, during this period the Ger-

man Constitutional Court carried out a widespread check on the principle of proportionality in relation to Covid-19 ordinances, nullifying, for instance, the Bavarian act which banned a demonstration in May 2020 (Gatti, 2020).

A similar argument can be made regarding the role of Parliament. On the one hand it can be argued that the *Bundestag* wasn't actively involved in the decision-making process, on the other it can be claimed that this was more the responsibility of the *Länder* Legislature (*Landtag*) as the legislation was concurrent (Woelk, 2020). Criticism can also be levelled at the rapid approval of the *Corona-Krisenpaket* in just a few days; however, identical actions were taken in the United Kingdom and France. Only in November 2020, after an initiative of the SPD parliamentary group, did the Parliament establish that Covid-19 ordinances should normally have a duration of 4 weeks. This sunset clause would have been preferable had it been introduced in March, during the approval of the *Corona-Krisenpaket.*

6. *Similar practices and critical issues in Europe: how does Italy differ?*

The previous sections have described how the pandemic has been handled so far in Italy, the UK, France and Germany. Crisis management depended only partially on the most majoritarian or consensual forms of government (Lijphart, 2012). Among the majoritarian ones, only France acted exclusively in a centralised manner, as the UK Government had to share the decisions with its individual nations. Indeed, the English decision-making process was more similar to the German federal one and the Italian regional one, due to the level of involvement of local authorities. Vampa (2021) also

notes how, in these countries, the implementation of Covid-19 measures followed the patterns of the usual decision-making process. Italy continued to have a competitive relationship with its regions, Germany a more collaborative one with its *Länder,* and the UK a mixed approach, with many of the disputes between Scotland and Westminster that characterised Brexit, being repeated.

Italy was not an exception in its centralisation of decision-making powers. In France, the law was transformed specifically to change the person holding the power of ordinance (from the Minister of Health to the Prime Minister), while the British and German Governments used a supremacy clause to prevail over concurrent legislation. In all countries, the head of the Executive communicated to citizens on TV and employed informal non-transparent committees to make decisions more quickly. In the UK these were the COBRA meetings, in France the meetings of the Public Health Defence Council, and in Germany and Italy the State-Region conferences.

In some countries, the risks were underestimated: the UK initially chose the herd immunity route, while France held local elections the day before its lockdown. One can therefore query whether greater scrutiny by Parliament could have led to better decisions being made.

Parliaments were not able to amend the Government's delegated legislation and, except for the UK, were initially unable to suspend them. Thus, Parliaments opted to carry out oversight responsibilities rather than legislative ones, in consideration of the difficulties related to meetings and making decisions quickly during the first wave (Griglio, 2020). Only after the first wave (February-May 2020) did their legislative strength return: Italy determined that DPCMs should be communicated in advance to the Chambers (May 2020),

France launched a parliamentary commission of inquiry (June 2020), and Germany determined that the restrictive measures could not last for more than four weeks (November 2020).

As in Italy, a lack of homogeneity on the measures applied nationally also occurred in Germany and England. These facts, as previously pointed out by Vampa (2021), were motivated by political circumstances (UK), but also by the need to establish greater restrictions in those regions close to the national border (Bavaria, Germany). In all countries, the policies were sometimes considered unconstitutional, either because they were excessively damaging to citizens' freedoms, or because they were contrary to concurrent legislation principles. Furthermore, in Italy, the principle of legality was considered to have been violated (Cassese, 2020) and for this reason, some fines for DPCM violations were lifted (Specchia, Lucarelli and Salmoni, 2021). Similarly, in Germany, judges intervened to allow citizen protests, as their restriction was deemed to violate the principle of proportionality (Gatti, 2020).

It can be concluded that issues highlighted by academics studying the Italian case do not differ significantly from those that occurred in the UK, France and Germany. Italy has differentiated itself for the continuation of bad constitutional practises (use of decree-laws and legislative decrees), for the existence of multiple task forces, and the absence of an anti-pandemic plan or laws (Bull, 2021; Capano, 2020). This latter absence has lasted till the present day, resulting in the lack of a single normative code for anti-pandemic laws. While the UK has relied on the Coronavirus Act, France on the Epidemic Act, and Germany on the *Corona-Krisenpaket*, Italy has preferred to make 'chains' of legal decrees, DPCMs and ordi-

nances, making it difficult for citizens to clearly understand the current laws (Furno, 2021; Longo, 2020).

Conclusions

This chapter has presented the Covid-19 policies of Italy, the UK, France and Germany. Many of the critical issues highlighted in Italy were also common to other nations. As argued by Luciani (2020, p. 140), the pandemic was not an opportunity to establish an "authoritarian democracy" or to "break the constitutional legality" in Italy. Furthermore, as stated in the previous section, the fact that Italy is a consensual democracy didn't shape government-parliament relationships during crisis management as much as existent centre-periphery relationships and internal political dynamics did (Lijphart, 2012).

All things considered, the system created during Covid-19 will, nevertheless, determine the future management of similar emergencies in Italy (Raffiotta, 2021). In such cases, it is necessary to keep the institutional powers of control at a high level, especially if we consider what happened in Hungary, Serbia and Moldova, where the pandemic has been a pretext to increase government powers and curb freedom of expression in the media (Engler et al, 2021). In order to prevent such developments, parliamentary oversight and an anti-pandemic law would be crucial, so as to be prepared for any future global threats.

In contrast to the other countries taken into account, Italy does not have either an anti-pandemic law or a state of emergency codified in the constitution. The only tool for managing emergencies is the decree-law (art. 77 Cost.), which for decades has been an ordinary legislative instrument employed

by governments (Silvestri, 2020). It would therefore be desirable for Parliament to follow what has been done in Germany, approving an anti-pandemic law that sets a framework for the decision-making process and clearly establishes the role which Parliament should play.

This need was also emphasised by the re-elected President of the Republic, Mattarella, who, in his inauguration speech (February 3, 2022), stressed the need for Italy to "equip itself with new tools to prevent possible future global dangers", in order to better "manage their consequences".

An anti-pandemic law would make it possible to predetermine the role of Parliament *ex ante*, safeguarding its functions and granting greater legitimacy and transparency to the Government's crisis management (Judge and Leston-Bandeira, 2021). This could be achieved with the provision of a special parliamentary commission, as suggested by Lupo (2021). A potential model could be provided by the French Commission instituted on June 30th, 2020. Such a course of action had already been proposed on April 14th, 2021 by the Italian Constitutional Affairs Commission of the Senate, however no actual steps have been taken in this direction.

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Where Danger Nests: Italy's fragile governance system and the pandemic crisis

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Abstract. This chapter analyses the difficult management of the pandemic in Italy, considering the intergovernmental conflict that arose between institutional levels during the virus's initial spread. The aim is to illustrate how the pandemic reignited long-term unsolved issues, turning a consolidated institutional praxis into an unprecedented exercise in power. To do so, the chapter provides both an illustration of the institutional framework that includes State-Region relationships, and a description of the constitutional criteria that regulate it. We will then present an analysis of the critical issues raised by the pandemic, along with their outcomes on the multilevel governance system described by scholars. Finally, the conflict is assessed in relation to the NRRP formulation and implementation project, in order to introduce a perspective on the possible future developments in the multilevel governance system.
Keyword: Covid-19; NRRP; Multilevel governance; Principle of loyal cooperation.

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Introduction

On 4 August 2020, the President of the Italian Republic – Sergio Mattarella – celebrated the 50th anniversary of the Regions' institutionalisation. For the occasion, the President gave a speech emphasising the crucial role of the Regions within the national institutional architecture, as well as the centrality of the principle of loyal cooperation (Principle) within the Constitution. Italy, along with other States characterised by a federal or regional legal system, underwent an unprecedented "stress test" on its multilevel governance structure during the pandemic emergency (Tubertini, 2021; Baldi and Profeti, 2020; Vampa, 2021b). During the course of the crisis, the Principle has recurred frequently in institutional debates, becoming the subject of a close confrontation, not only in the political arena, but also between scholars. The present contribution takes the form of four paragraphs. The first paragraph describes the troubled history of the Regions within the State organisation. To do so, we have provided a brief description of the Regions as institutions attributed with legislative power, and the limits that historically affected their responsibilities (De Siervo, 2016; Caretti and Tarli Barbieri, 2016). In order to identify those limits, an overview on the juridical literature is provided. On the one hand, this describes the general validity attributed by the Court to the Principle, as a regulatory parameter applied in general matters of intergovernmental relations. On the other hand, it records the main elements found in the literature to have significantly compromised the Principle's effectiveness (Bin, 2008; Caretti, 2018; Mancini, 2013). The second paragraph describes how the return of institutional praxis – by easing the legislative uncertainty deriving from the wavering interpretation of the Principle – granted an inter-governmental equilibrium be-

tween institutions (Del Prete, 2020; Carpani, 2006). The third paragraph examines how the pandemic wave, rather than introducing new elements of danger for the democratic system, acted as a booster of age-old institutional issues which turned critical (Cammelli, 2020). Within this framework, we have analysed the most salient effects of the interinstitutional conflict on the pandemic's management. In particular, the focus is set on the State-Regional executives' juxtaposition, and on the Court's state-centric judgement called to settle the intergovernmental attribution dispute (Padula, 2021; Lavagna, 2021; Longo, 2020). Finally, a description of the interinstitutional conflict is articulated around the Recovery and Resilience Plan, in order to provide a prospective on the future of the Italian multilevel governance system.

1. *The complex institutional architecture*

The regional system in Italy was introduced with the Constitution of 1948, as a guarantee for the institutional architecture – and democracy – against centralistic authoritarian tendencies. For this important role, the Region was not only an administrative unit; on the contrary, it was designed by the Constitutional Assembly to be an institution exercising legislative power. The rigid share of legislative competence provided for by Article 117 of the Constitution proved itself immediately problematic (Mancini, 2013), as no proper constitutional instrument had been furnished to prevent the rising of attribution disputes, nor to coordinate the decision-making process between the two institutional levels (De Siervo, 2016; Caretti and Tarli Barbieri, 2016). As regional responsibilities had been enforced within the institutional architecture – during the course of 1980-1990 – the lack of a coordination tool be-

came a major issue. In fact, the static separation of responsibilities didn't match with the complexity of policies, which presented permeable attribution borders. The problematic separation of responsibilities endured the intense reform season of the nineties, which saw the new Title V of the Constitution – Constitutional Laws 3/2001 and 1/1999 – become the new keystone to State-Region relations (Profeti and Baldi, 2021). As no federal chamber was provided for in the system – nor introduced with the successive referendums of 2006 and 2016 – the reform pushed the institutional architecture into a federal equilibrium, which remained unfulfilled (Baldi, 2020). The result was a complex State-Region relationship, which has been evolving to its current equilibrium through two complementary channels: on the one hand, the Court's jurisdiction on the principle of loyal cooperation (Principle), and on the other, the affirmation of an institutional praxis of consultation through the Conference system.

The Court's jurisdiction has been intensely called upon to solve the State's inter-level conflict, defined at its peak as "overflowing" (Vandelli, 2006, p. 11; D'Atena, 2000). Within Court records, the first mention of the Principle dates back to 1948 – Judgement no. 49/1958; since then, the references have grown along with the need of specific mention of the Principle within the Constitutional text (Caridà, 2018; Gratteri, 2004). Its explicit mention appeared in the Constitutional text within Art. 120 – of the renewed Title V – but the interpretation of the Principle as a general criterion regulating State-Region relations remained "deductive" – and dubious among scholars (Gratteri, 2004). However, an extensive interpretation of the Principle as a "necessary lubricant" in intergovernmental relations prevailed (Bin, 2001, p. 11), confirmed by two famous Court judgements: Judgement no. 31/2006 and Judgement no. 114/2009. These judgements

identified the Conference system as the "more qualified structure" to implement the Principle, standing as the necessary head of "all intercurrent relations between State and Regions" (Caretti and Tarli Barbieri, 2016). The Conference system comprises three distinct State's organisms: the Permanent State-Regions Conference (from now on referred to as the Conference), the State-cities and Local Autonomies Conference, and the Unified Conference. Within the system, the Conference holds the most important function but, as with the other institutions, is not provided with any Constitutional guarantee. In fact, the Conference's functioning refers to Law no. 400/1988 and Legislative decree no. 281/1997. This fact is significant, as it underlines how, within the Constitution, there are no provisions for a coordination mechanism despite the Regions being provided with fundamental responsibilities. The absence of any clear agreement on the Principle's interpretation, has resulted in its protection being regulated by the Court. However, the Court judgements are necessary flexible as they refer to specific cases. Thus, a stratification of interpretations of the Principle developed, evolving into a wavering jurisdiction, which resulted in granting a dominant State position within the institutional architecture. (Bin, 2007; Cortese, 2007; Caretti, 2003; Caretti, 2008; Mancini, 2013). This is mainly visible in two outcomes: when the State legislative process involves "concurrent competence", or when a "call in subsidiarity" recurs, as highlighted in two key Court judgements discussed in the literature.

In the case of "concurrent competence" the Principle demands that the State provide proper tools to safeguard regional responsibilities. These mainly concern the formulation of "agreements", legislated through Legislative decree 281/1997 and Law 131/2003, to be reached within the Conference. However, Court Judgement 387/2007 stated that

such agreements cannot be binding for legislative purposes, but should rather represent a necessary political link to the law's content. Moreover – according to this interpretation – the achievement of an agreement does not represent a constitutional parameter in the eyes of the Court if a litigation on the attribution of responsibilities is raised (Caridà, 2018; Mancini, 2013; Cortese, 2017; Poggi, 2017). It is self-evident – according to this approach – that the State is granted legislative dominance in concurrent responsibilities, which should rather receive equal protection according to Art. 117 and 114.

The second case, the "call in subsidiarity", refers to the State's right to decide the involvement of unitary requests, attracting both legislative and administrative powers in regional responsibilities. This instrument was introduced by the Court in the celebrated Judgement no. 3/2003, as the combined interpretation of art. 117 and art. 118 of the Constitution (Mancini, 2014; Mainardis, 2011). It must be noted that Judgement 3/2003 "dragged along" a share of legislative responsibilities felt to be necessary to fulfil the administrative functions called in subsidiarity (Caretti and Tarli Barbieri, 2016; Mancini, 2014). Regarding the "concurrent competence", Principle-based mediation is required but regional participation in the legislative process is to be excluded (Mainardis, 2011, p. 470). On the contrary, on the administrative side, the provision of a concentrative tool is mandatory. These tools must find an adequate balance between cooperative intensity and the "depth of erosion" in regional responsibilities (Poggi, 2017, p. 17). If agreement on the "call in subsidiarity" is not reached between the State and its Regions, the State can overcome the impasse by demonstrating its attempt at proper mediation. Regional protection, in this case, lies in the possibility of an appeal to the Court, whose judgment will concern the type of tool chosen for the mediation

process. Clearly, protection is disproportionally in favour of the "subsidising" institution, rather than the "subsidised" one (Cortese, 2017; Mancini, 2013; Poggi, 2017; Caretti and Tarli Barbieri, 2016). In fact, it has been observed that after the federalisation fever of the nineties, and in the absence of a clear intention of the national legislator to fulfil the federal reform, the Court turned to a jurisdictional interpretation, according the State an "organising function" as general prerogative (Cortese, 2017, p. 125). Thus, it can be said that regional autonomy enjoys no guaranteed protection, whether within an appropriate constitutional organism or within the constitutional jurisdiction. In other words, the State enjoys a dominant position over the Regions within the juridical balance of power.

2. *Governance praxis*

Despite the limited constitutional guarantees inherent to the Conference system, the Conference and the Principle of loyal cooperation have become a fundamental cornerstone in the institutional architecture's governance (Carpani, 2006; Del Prete, 2020; Tubertini, 2010; Tubertini, 2021).

It has been observed that – given the impossibility for the Regions to influence the State's legislative activities – participation in the process is granted further "downstream". In other words, the application of the Principle is largely related to administrative responsibilities, dealing with the actual implementation of laws: regulatory acts, administrative measures, along with "everything concerning the concrete exercising of regulatory functions" (Mancini, 2013, pp. 972-3). This inverted enforcement, the actual cornerstone of State-Regional governance within the Institutional architec-

ture, is induced by a political praxis established outside the Constitutional provisions (Del Prete, 2020.). The keystone of the connection mechanism is the relationship established between the Conference and the Conference of Regions and Autonomous Provinces (from now on referred to as Regional Conference). The Regional Conference is a private law lobbying institution, bringing together the Regional Presidents, and organised into technical departments much like a "ministry" (Carpani, 2006, p. 145). As substantial formal dominance is granted to the State within the Conference, which brings together the President of the Council of Ministers and the Regional Presidents, the Regional Conference restores the role of a counterbalance (Baldi and Profeti, 2020; Del Prete, 2020). The "aprioristic protection" of the State's position within the Conference can be seen in the attribution of prerogatives by Law no. 400/1988, which attributes the main operative functions to the President and the Presidency of the Council of Ministers. To them are assigned the powers to set the agenda, conduct the preparatory phase on the draft act to be examined, and convene the Conference (which meets at least every six months). Emblematically, the Conference meets at the Presidency of the Council of Ministers, where, if an agreement needs to be reached – as in the eventualities described in the previous paragraph – the Regions are called to express a unanimous position. The Regional Conference plays a crucial role in implementing a balancing function (Del Prete, 2020). Firstly, the Regional Conference meets under the figure of its President, which mediates a common position based on a regional shared "intermediate institutional level", rather than political divisions between regional presidents. So, as the President sits in the Conference with the regional presidents and the President of the Council of Ministers, he enforces the institutional representation of a com-

mon interest rather than partisan divisions, balancing the State's dominant position within the Conference (Carpani, 2006; Carpino, 2006). Moreover, the Regional conference gets to influence the agenda setting and participate in the preparatory phase on the sessions (repeated every two months according to institutional praxis). This is particularly important, as the Presidency of the Council of Ministers operates in strict association with the Regional Conference technical departments. So any draft agreements are normally concurred upon before the Conference sessions, where they are ratified rather than discussed (Del Prete, 2020). It should be noted that this inter-institutional mediation process has strong "executive" characteristics, given the nature of the subject covered in the participation. An emblematic example of lies in the system's functioning being defined as a as "dual mechanism" (Carpani, 2006, p. 137). It is evident, given the dual-executive connotation of the governance's operativity, that it relies strictly on the political intentions of the subjects to be implemented (with the State in a dominant position viz. the Regions). Thus, the functioning of the governance system, which is the practical enforcer of the Principle, stands on a "conjunctural" agreement (Tarli Barbieri, 2021, p. 219). In other words, balance within the institutional architecture relies on governance agreement.

3. *Where danger nests*

The normal course of institutional practice changed, as would be expected, when the first pandemic wave struck Italy between February and June 2020. In fact, as the COVID contagion spread, age-old issues became more entrenched, increasingly souring State-Region relations. At both the State and

Regional level, the pandemic crisis accentuated the role of Presidents within the executives. The centralisation dynamics around the President of the Council of Ministers had been in place since the nineties. They evolved within the weakening political party system, and the personalisation of parties (Calise, 2005; Calise, 2016). So, too, did the presidential role as a monochrome expression of executive function, which progressively marginalised the collegial governmental role (Cerrina Feroni, 2016; Fittipaldi, 2021). The pandemic acted as a powerful booster of these tendencies, resulting in the President assuming a role of "regulatory protagonist" (Musella, 2020, p. 112), exercising his primacy not only in government, but also in Parliament (Raffiotta, 2021; Rubechi, 2021; Fittipladi; 2021). As confirmation of this personalisation, we have the media coverage that the President adopted during the first phase of the pandemic, preannouncing the Government's decisions by press conference, and the use of social media (Amoretti, Fittipaldi and Santariello, 2021; Fittipaldi 2021). A similar dynamic was in place pre-crisis at a regional level, where the Presidents – directly elected by Constitutional Law no. 1/1999 – acquired absolute dominance within their executives. Also in this case, the personalisation process took place within political parties, and through the construction of a direct connection with the regional constituency. This latter aspect was strongly fostered by the media, which contributed to creating an image of Presidents as "governors", juxtaposing the intermediate regional interest onto the national one (Musella, 2020; Pitruzzella, 2004). The age-old phenomenon was massively inflated by the pandemic, which saw the regional President gaining absolute primacy in the legislative assembly, and massive media exposure (Musella, 2020; Piazza, 2021; Bilancia, 2020b). Emblematic in this sense were the unbridled declarations by Campania's President – Vincenzo De Luca –

renamed by the media as the "Sultan of Campanistan". This dual personalisation was destined to reveal its consequences as the restrictive measures began to be set in place. In fact, after an initial, relatively cooperative management of the pandemic, conflicts arose. The state of emergency was declared by the Conte Government on 3 January 2020, which was followed by a consultation period between the State and the Regions. The turning point in State-Regional relations was the adoption of Decree-law no. 6/2020 on 23 February 2020 (Lavagna, 2021; Longo, 2020). This law was adopted by the Conte government to legitimise the use of a secondary law source to manage the pandemic: the Decree of the President of the Council of Ministers (DPCM). Prior to the crisis, the DPCM had had limited relevance as a regulatory act ruling the organisation of the Council of Ministers Presidency. The extended use of such an instrument was dictated by the need for flexibility and a rapid response to a constantly muting emergency (Rubechi, 2021; Magia, 2021). The Decree-law 6/2020 had a dual effect. On the one hand, it enabled the government to formalise the pandemic's management on a national level. A list of restrictive measures (Art. 1, paras. 1-2) was drawn up for areas presenting at least one contagion case. The measures were to be adopted through a centralised DPCM (Art. 3, para. 1). On the other hand, however, the decree-law saved some margins of regional autonomy. Regions were enlisted as "competent authorities" which could adopt "ulterior measures" (Art. 2. para. 1) in the temporary absence of a legislating DPCM (Art. 3, para. 2). The Government's decree-law left a wide margin of uncertainty around its actual functioning, and between those margins an "uncomfortable competition" between State and Regions arose (Longo, 2020, p. 405). It has been said that the President of the Council's tendency to assume total political-administrative responsibil-

ity, "triggered" a speculative tendency among the Regional Presidents, enhancing – along with the marginalisation of legislative assemblies – a double run on the exercising of direct prerogatives (Longo, 2020, p. 405). This saw the unleashing of a "hypertrophic" production of regional ordinances (Baldi and Profeti, 2021, p. 300). So, on the one hand, the use of the DPCM instituted a chain of legislative acts, constituting an unprecedented exercise of power (Luongo, 2020; Bilancia, 2021). On the other hand, a hypertrophic increase in Regional Presidential ordinances occurred (along with those from other Autonomies) (Lavagna, 2021; Longo, 2020). It has to be noted that, even within this complex legislative framework, the Regional Conference maintained an active role, mainly through constant consultation with its president – Stefano Bonaccini, the President of Emilia Romagna – and the Government (Baldi and Profeti, 2020). This fact confirms the size of the conflict – involving the President of the Council of Ministers and Regional Presidents – which was rather "horizontal" than "vertical" (Tubertini, 2021, p. 675). Emblematic in this sense, was the very publicised case of the Marche judgement, which saw the government challenging the Regional President's ordinance – of 26 February 2020 – in front of the Regional administrative tribunal. As the ordinance introduced restrictive measures within the Region, without cases of contagion being present, the Tribunal suspended it, resolving the dispute in the State's favour (Piazza, 2021; Lavagna, 2021; Longo, 2020). The legislative chaos unleashed by the decree-law saw the Conte government adopt a new decree law, enforcing the centralised legislative structure already in place. Thus, on 25 March 2020, Decree law no. 19/2020 was adopted. It provided a more detailed list of measures that could be used to combat the COVID spread, along with a definition of the interinstitutional relations to be

set in place, and a delimitation of the act's spatial and temporal validity (Lavagna, 2021; Longo, 2020). The centrality of the DPCM – substantially available for use by the President of the Council – came with a complete limitation in the powers of both the Regions and the Local Autonomies. Regions were allowed to adopt emergency measures, but only if "more restrictive" than the DPCM's legislation, and remaining only temporarily valid until a DPCM came into effect in the affected areas. More importantly, the Region's ordinances were excluded from covering the regulation of economic activities (Lavagna, 2021; Longo, 2020). This latter aspect, in particular, raised concern among scholars, as economic activity responsibilities – according to Art. 117 of the Constitution – are shared between State and Regions. Thus, the restrictive governmental approach raised serious doubts as to whether it respected the principle of loyal cooperation (Padula, 2021; Longo, 2020). As a matter of fact, Decree-law 19/2020 was defined as "punitive" towards the Regions' autonomy (Longo, 2020, p. 393). Despite the Government's evident centralisation intentions (Lavagna, 2021; Longo, 2020, Raffiotta, 2020), the Presidential ordinances continued to come, leading the Government to challenge them in the Administrative tribunal as a "serious violation" of the legal system (Lavagna, 2021, p. 107). The conflict began to ease with the adoption of Decree-law no. 33/2020, which was preannounced by the DPCM of 26 April 2020 (Lavagna, 2021; Longo, 2021). The DPCM, which came into force on 4 May, foresaw the re-opening of the country and the second phase of the pandemic's management. However, there was one last backlash of tension. The Regions, disagreeing with the Government on the re-opening calendar, undertook a headlong rush to restore economic activities. The most debated example was the case of Calabria's ordinance, which saw table serving restarted in res-

taurants ahead of schedule. This was challenged by the Government in the regional administrative tribunal, and the Tribunal ordered the ordinance's annulment. It has been observed that the Region's revindications regarding its economic responsibilities were partly due to a reaction to the pandemic's central management and an attempt to regain political visibility (Baldi and Profeti, 2020). As already mentioned, following the critical management phase, the restoration of much-needed equilibrium began with the adoption of Decree-law no. 33/2020, which enabled the Regions to participate in national decision-making with a level of involvement unprecedented in the crisis. From the formulation of the decree, the Regional Conference played an important coordinative role. In fact, an "ad hoc" mechanism of coordination – including all the Regions – was settled by the government following a Regional Conference proposal. At the same time, guidelines for the country's reopening were substantially agreed with the Regions, which were entitled to adopt ulterior measures, both expansive and restrictive, along with the DPCM (Lavagna, 2021; Longo, 2020; Bilancia, 2021; Baldi Profeti, 2020; Tubertini, 2021). It has to be noted, that the conflict between State and Regions decreased through two main channels: firstly, the political will of Government to adopt – only when the pandemic emergency decreased – a more inclusive approach to its exercising of power; and secondly, the operativity of a non-constitutional institution (the Regional Conference). So we can confirm that, without a constitutional provision, the principle of loyal cooperation can only be enforced if a governance agreement is in place. This issue finds confirmation also within the Constitutional Court Judgement no. 37/2021. This judgement – referred to as the Valle d'Aosta case – was said to "more resolutely" demarcate the Courts' orientation through the State's centralisation

tendencies during the first pandemic phase (Bin, 2021, p. 494), and legitimise the "legislative chain" established with Decree-law 19/2020 (Rubechi, 2021, p. 182). The Regional Law no. 11/2020 – which included specific norms and procedures to contain the spread of the pandemic – was challenged by the President of the Council of Ministers on 21 December 2020, while the Court's judgement was delivered on 24 February 2021. It has been mentioned that the legislative process covering regional competence, doesn't bind the legislator to the acquisition of an agreement, as it interprets such a commitment on a political level. This is true also for the decree law, as it is a primary law source. So, while the use of decree laws as a primary source wouldn't have compelled the Government to reach an agreement within the legislative function, defining the DPCM as administrative acts raised doubts among scholars. Once the Court had defined the DPCM as administrative acts – Judgements no. 37/2021 and 198/2021 – the issue of "agreement" extensions on Decree 19/2020 arose (Padula, 2021; Cavino, 2021). It has been stressed that the form of cooperation in this sense – covered by Art. 2 para. 1 of Decree-law 19/2020 – wasn't strong enough to protect Regional responsibilities. In fact, the agreement on administrative acts needed to be as strong as the erosion in responsibilities. In a similar vein, the Government's decision not to pursue a "call in subsidiarity" in the Regions' administrative responsibilities was considered dubious by some scholars. In fact, the choice of that instrument would have granted the Regions the possibility to appeal to the Court, challenging the proportionality of the instrument implied in the mediation process if necessary (Longo, 2020; Padula, 2021). The Court resolved the issue by defining the emergency measures as an exclusive State responsibility, relating them back to "international prophylaxis" – ex. Art. 117, para. 2 – excluding, in this

way, the need for any cooperation in the protection of Regional responsibilities (Lavagna, 2021; Padula, 2021; Rubechi, 2021). This fact marks a confirmation of the mutable constitutional protection of the Principle. The parenthesis between February and May 2020, before the turning point of Decree-law 33/2020, showed once more the limits of an institutional architecture based on governmental agreement. Many interpretations have been addressed by scholars on the roots of intergovernmental conflict. Some see the conflict as a natural consequence of an unprecedented emergency (Bilancia, 2020b). Others see it as old frictions between the institutions that were just waiting for a spark to be reignited (Cammelli, 2020). Some scholars have stressed that the contrast between national centre-right governments with mostly regional centre-right executives (the majority) fostered a conflictual management of the first pandemic wave, given its coincidence with the administrative elections (Profeti and Baldi, 2021; Vampa, 2021a). The multitude of possible interpretations converge in building common evidence. The lack of a steady legislative separation of responsibilities between State and Regions, and of any formal Constitutional definition of the Principle's operational forms, had severe consequences within the first pandemic phase. These were not limited to a derogation of the Constitutional provisions on the sharing of responsibilities. On the contrary, the emergency's fragmented legislative framework created a climate of uncertainty for both citizens and institutions alike (Torre, 2020; Lavagna, 2021). In fact, the local regulatory acts, including restrictions to constitutionally granted civil rights, were differentiated to the point of being defined "pre-unitarian" (Bartolini, 2021, p. 523).

4. *The NRRP*

Though it may be considered natural for an emergency to provoke a centralisation of power, it has been claimed that the Italian multilevel government system failed to live up to the task during the first pandemic wave (Tubertini, 2021). The formulation of the National Recovery and Resilience Plan (NRRP) offers a different perspective on the Italian multilevel governance performance, as it reveals a not insignificant scenario. The NRRP was presented to the European Commission on 5 May 2021, and was finally adopted on 13 July. With the Plan's formulation, Italy committed to fulfil a series of policies and reforms that are necessary in order to invest 191.5 billion Euros within the Next Generation EU programme. The policy timetable is to be periodically checked, regarding the fulfilment of "milestones" and "targets" agreed with the EU. The formulation of the NRRP and its "very strict timetable", involves numerous Regional responsibilities and it's going to involve a great participation of the Regions in the implementation phase (Sciortino, 2021, p. 236). Thus, the NRRP's formulation could be considered a testing ground for the "shared rule" exercised by Regions, within a context highly focused on the intermediate government level (Profeti and Baldi, 2021, p. 433). However, in contrast to the main form of EU investment – the Structural Fund – the NRRP did not prescribe a vertical partnership with the Regions. Thus, only the national Government is to be considered responsible for the investment Plan in the Commission's eyes (Profeti and Baldi, 2021; Guidi and Moschella; 2021). Through the NRRP formulation, the government adopted a highly centralised approach, legitimised by the European prescriptions. Moreover, the plan's implementation – despite involving unitary decisions being made in areas normally of Regional responsibility

– could hardly be challenged in the Constitutional Court. Indeed, the Court would most likely define the NRRP's implementation as an exclusive State responsibility, considering the international nature of the Plan (Mainardis, 2021). It was around the government's implementation that the major State-Region conflicts took place, along with clashes in parliamentary activities. Highly criticised within the Conte government's draft, the government's implementation of the Plan was one of the main factors in bringing about a change in the executive – in February 2021 – that saw Draghi take the lead in a new government coalition (Guidi and Moschella; 2021). However, the approach using the Regions in the formulation phase, remained highly centralised for both executives, marking a restrictive turn under Draghi's presidency. During the first formulation phase – under the Conte Government – an active role of the Regional Conference was observed. However, the Regions were substantially excluded from the planning of the Ministries' sectorial plan, and no precise partnership tool was provided for. The scarce attention paid to the Principle of loyal cooperation was then denounced in various parliamentary hearings (Profeti and Baldi, 2021). The poorly effective consultation that marked this phase has been attributed to the political clash between Regions over the division of funds, which didn't allow the Regional Conference President – Stefano Bonaccini – to pursue an effective mediation with the Government. In parallel to this, conflict arose around the emergency measures, with the lack of coordination in both cases being seen as "horizontal" rather than "vertical" (Profeti and Baldi, 2021; Tubertini, 2021). The initial centralisation of the NRRP under the Conte Government – in power until 13 February – tightened with the Draghi government. One possible factor playing in favour of centralisation, was the strict timeframe within which the

Government had to amend the NRRP Draft, submitted to the commission on 5 May (Profeti and Baldi, 2021; Guidi and Moschella, 2021). However, the Government's decision to convene the Unified Conference rather than the Conference is emblematic. In particular, this decision has been interpreted as a substantial equalisation of the Regions in relation to the other local autonomies (which don't exercise legislative authority), within the general management of the pandemic. This equalisation, more specifically, reflected the centralised approach to the NRRP, with minimal involvement of the Regional Conference in the production of the Plan's Draft. While under the Conte Government the Regional Conference was involved in consultation meetings – six informal meetings – with the ministers responsible for the Plan, no such meetings took place under the Draghi Executive. On the contrary, Draghi's government presented the readymade draft – produced by the ministers – to the Unified Conference (Profeti and Baldi, 2021). As the Regions had found themselves excluded from the formulation phase, the Regional Conference was called to mediate on the NRRP's implementation. It was in this phase that critical issues were exposed in intergovernmental relations. A first decree-law draft of the government's NRRP implementation was released by the government on 27 May, without incorporating any of the measures requested by the Regional Conference. As a result, the Regions threatened a challenge in the Constitutional Court, evoking respect for the Principle and the Constitutional sharing of responsibilities, and proposing a long series of amendments to the draft. Some of the amendments were accepted by the Government, which issued the "governance Decree-law" no. 77/2021 on 31 May. The decree imposed a highly centralised governance system, articulated in a series of institutional organisms in a pyramidal structure (Baldi Profeti, 2021; Openpolis, 2021a).

Firstly, it is relevant that Art. 3 of Decree-law no. 77/2021 refers to the NRRP legislation – in relation to governance structure – as an exclusive State responsibility. In fact, referring to Art. 117, the legislative matter is interpreted as the "exclusive State relationship with the EU", and as the "essentials levels" to be applied equally across the entire country. This emblematic statement was followed by the institution of a "Control room" within the Council of Ministers, exercising political implementation and control over the NRRP. Moreover, it should be noted that the coordination mechanism with the European Commission is embodied by the Ministry of Economic and Finance, which – according to European Regulation 2021/241 and assisted by the State General Accounting – exercises the function of operational coordination, monitoring, reporting and control of the NRRP. The role reserved for the Regions within this highly centralised structure appeared highly limited – in fact, the Regional Conference only gained access to the control room meetings through its president, while the Regions were granted a consultive role within the Permanent Table for economic, social and territorial partnership (Profeti and Baldi, 2021). The limitation of regional prerogatives appears even more enforced if considered alongside Art. 12 of Decree-law no. 77/2021. Indeed, Art. 12 attributes to the Council of Ministers (within limited cases of regional defaults on the NRRP's time schedule) substitutive powers. It has been observed that the formulation of the NRRP clearly demarcated the State's intention to centralise management of the Investment plan (Mainardis, 2020). However, the Regions are necessarily going to be the main players in the NRRP's implementation. This scenario will unfold in an as yet unforeseeable way over the next few years. Indeed, the NRRP's implementation will provide the ideal point from which to observe the Principle implementation, and possibly a new for-

mulation of the governance praxis agreement that rebalances the institutional architecture.

Conclusions

The stress test imposed by the pandemic on the Italian multi-level governance system has been widely debated. It has also been described how long-lasting issues were exacerbated, to the point that the first phase of the pandemic proved critical. In fact, the reverberations on the political agreement underlying the principle of loyal cooperation, shook the intergovernmental balance of power. There were severe consequences for the legislative framework during the first phase. Subsequently – during the second phase –institutional relations regained their balance, leaving the debate open among scholars on possible reforms of the interinstitutional system. Studying the jurisprudential literature, which presents an open debate, one can trace a common denominator back to the emblematic definition of Tarli Barbieri (2021, p. 219). The author highlighted that in the absence of clear constitutional coverage, respect for the principle of loyal cooperation assumes a "conjunctural" nature. Danger nests between the folders of that conjuncture, as the pandemic has demonstrated. The NRRP could be a testing ground for the Principle's implementation over the next few years. Concerns have been expressed about the strict time schedule of policies to be implemented, and on the political commitment they will require from Governments, potentially pushing the executives beyond the political commitments to their national and regional constituencies (Lupo, 2021; Sciortino, 2021). However, the most immediate development will regard the necessary role of Regions in the administrative Plan's implementation. This situation will show

– over the following years – if institutional praxis with regard to the Principle will be restored, or whether a centralised approach to power will endure even after the pandemic crisis has passed.

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Populism and Technocracy During the Covid-19 Pandemic in Italy. A two-year balance (2020-2021)

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Abstract. While populism currently represents a vast field of research and includes those strands of scholarship interested in the effect of the Covid-19 pandemic on populist parties, technocracy has generally attracted less interest among scholars. In this regard, Italy represents a rather unique case: since the outbreak of Covid-19 in February 2020, the country has seen populist parties both in government and within the opposition, being currently governed by a technocratic government, i.e. the Draghi executive, that is supported by a large coalition that includes populist parties. Specifically, in this chapter we (i) provide a reconstruction of the populist party family in Italy before and during the pandemic; (ii) assess the performances – through opinion polls and, thus, in terms of electoral support – of Italian populist parties during the Covid-19 crisis; (iii) briefly contextualise technocratic governments in recent Italian history, then analyse the formation of the Draghi executive and the case of the *Piano Nazionale di Ripresa e Resilienza* (PNRR or National Recovery and Resilience Plan). The concluding remarks provide for some tentative considerations around the

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impact of Covid-19 on the Italian political system, considering both populist parties and technocracy.
Keywords: Populism; Technocracy; Covid-19; Italy; Electoral support.

1. *Introduction*

The question of the impact of the Covid-19 pandemic on political systems and parties quickly emerged as one of the most debated issues in both newspapers and political science circles. More precisely, the impact of the pandemic on the populist political family, in particular populist radical-right parties, continues to be subjected to widespread debate. The majority of scholars and analysts consider the effect of Covid-19 to be generally negligible and/or short-lived. However, an important caveat applies: most countries are specific cases, with trends that cannot be generalised and rather would require country-specific expertise (Wondreys and Mudde, 2020; Mudde, 2021). This consideration leads us to the central aim of this contribution: have political system and political parties in Italy changed during the two years of the Covid-19 pandemic? And, if so, in which directions?

Generally speaking, Italy represents a unique case in European politics. As, among others, Bruno and Downes (forthcoming) have recently highlighted, in particular during the last decade (2011-2021) the country has often distinguished itself through some major recurring trends, making it a sort of "laboratory" of anomalies within the field of liberal-representative democracies. Two of these trends are particularly worthy of in-depth analysis:

(1) The first regards the birth and affirmation of populist parties from different positions within the political spectrum: from grass-roots movements without a clear

ideology, such as the *Movimento Cinque Stelle* (Five Star Movement), to populist radical-right or far-right parties[3] such as Salvini's *Lega* (the League) and Giorgia Meloni's *Fratelli d'Italia* (Brothers of Italy);

(2) The second concerns the increasingly central role of technocratic executives ("*governi tecnici*"). Starting with some important precedents in the 1990s, recent important cases include the executive led by Mario Monti (2011-2013) in the wake of the Eurozone crisis, and the current executive led by Mario Draghi (2020 to present).

Closely connected to the central question of contribution, i.e. how the political system and the parties changed over the two years of the Covid-19 pandemic in Italy, we have attempted to produce an analysis of populism and technocracy during the pandemic emergency in Italy, a context heavily marked by significant and ever-growing contradictions (Bruno, 2019, 2020; Cozzolino, 2021)[4]. Without claiming to provide a comprehensive review of these two complex tendencies, the chapter analyses the main populist parties and technocratic gov-

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[3] On the notions of radical-right and far-right see: Jupskås and Leidig, 2020, in particular pp. 7-11. On far right, radical right and extreme right, Leidig states: "We define far right ideology as characterized by anti-egalitarianism, nativism, and authoritarianism. This ideology is expressed in many different ways, ranging from actors who are profoundly anti-democratic and/or violent (i.e. the extreme right) to those who are mainly illiberal, but neither against democracy nor in favor of violence (i.e. the radical right). Most entries comprise both violent and non-violent expressions of the far right, highlighting differences and similarities between these different forms of mobilization" (p. 4).

[4] For an original analysis of the regional implications of the role of populism and technocracies see Parsi (2021).

ernment in Italy during the two-year period of the Covid-19 pandemic. After providing some definitions of populism, the first section of the chapter considers a few of the parties that scholars have framed as populists or strongly characterised by populist elements: the Five Star Movement; Salvini's League and, to a certain extent, Brothers of Italy. The second section analyses technocracy and technocratic governments in recent Italian history; this will include (i) a closer scrutiny of the technocratic executive led by Prime Minister Mario Draghi, and (ii) the case of the National Recovery and Resilience Plan, in reality a key case of "technocracy in action" and technocratic forms of decision-making (Cozzolino and Giannone, 2021). The concluding remarks provide for some tentative considerations about the impact of Covid-19 on the Italian political system, looking at both populism and technocracy – two poles of the crisis within the democratic State (Parsi, 2021).

2. *Populist parties and Covid-19 in Italy*

As a definition of populism is required in order to proceed and analyse political parties considered "populists", we opt for the approach that is currently adopted by the majority of scholars in light of the flexibility of its empirical applications, i.e. the ideational approach of populism framed by Cas Mudde (2004; 2017). According to Mudde's definition, populism is "[...] an ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, 'the pure people' versus 'the corrupt elite', and which argues that politics should be an expression of the *volonté générale* (gen-

eral will) of the people"[5]. It is key to note that according to Mudde (and other scholars following the ideational approach), populism is as a sort of "thin" ideology, largely attached to a "thick" ideology[6]. With such a definition of populism in mind, we can now apply it to the Italian case by considering the Five Star Movement, the League and the Brothers of Italy[7] (although, as we argue below, this category appears slightly less appropriate in this last case). The first part of this section (2.1; 2.2; 2.3) is a review of the recent paths taken by Italian populist parties; the second (2.4) takes stock of their roles and performances during the Covid-19 pandemic (2020-2021).

2.1 The League: A textbook example of populist radical-right party

Matto Salvini was elected Federal Secretary of the (then) *Lega Nord* in late 2013. Immediately afterwards, he started to transform the party from a classic ethno-regionalist typology into a

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[5] Two other common approaches to defining populism are the strategic approach and the discursive-performative approach. The strategic approach sees populism as a type of electoral strategy based on strong leadership and direct appeal to the people, while the discursive-performative approach sees populism as a communication style or rhetoric, intent on creating the political mood of the people (Moffitt, 2020). For a genealogy of the concept of populism see Palano (2022).

[6] A Manichean mindset, or even a *Weltanschauung*, lacking substance per se, usually found in combination with much more complex ideological structures, ranging from one extreme to the other of the political spectrum.

[7] It would be more complicated to use the label of populist for the party *Forza Italia*. On the vexed question of measuring the degree of populism of political parties and the different approaches, see at least the recent works by Di Cocco and Monechi (2021) and Maijers and Zaslove (2021).

nationalist, sovereigntist, populist and radical-right one[8]. Since 2018 in particular, Salvini ideologically rebranded and renamed the party as *Lega – Salvini Premier* or simply *Lega*, cutting off the word "North" and – consequently – abandoning the fundamental question of the independence of the so-call "Padania" (i.e. an aggregate of several northern regions for the independence of which the – once – *Northern League* fought for). Thus, this political transformation saw the creation of a brand-new nationalist far-right party, which managed to reach a peak of 35% in the opinion polls in 2018[9], among the best results in the party's history. Subsequently, by using Mudde and the ideational approach, it is possible to say that underneath the League's "thin populism" it is not an easy task to find a "thick" ideological substance; yet, two rather trivial ideological pillars sustain the League's discourse.: (a) the party consensus on the "flat-tax", alongside (b) its xenophobic anti-immigration policies[10]. Also, (c) a marked "hard Euroscepticism" characterises its rather "thin" ideology[11].

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[8] For these definitions we refer again to the excellent compendium *Knowing what's (far) right*, edited by Anders Ravik Jupskås and Eviane Leidig (Jupskås and Leidig, 2020).

[9] This marked a seismic political shift for the populist radical right League in Italy, particularly as the party had only obtained 4% of the overall vote share in the 2013 Italian general election.

[10] In the case of Salvini's League we may be tempted to say that the discursive-performative approach could grasp better the nature of the party's populism, based mainly on communication style or rhetoric, intent in "following" the political mood of the people.

[11] On Euroscepticism see the excellent books *Euroscepticism, democracy and the media: Communicating Europe, contesting Europe*, edited by Caiani and Guerra (2017) and De Vries' *Euroscepticism and the future of European integration* (2017).

Now, we can take a closer look at how the League suffered significantly as a result of the Covid-19 pandemic emergency. Let's start by saying that at the end of January 2020, exactly one month before Italy was swept by the first sudden wave of Covid-19, the League was sailing towards an exceptional 30,7% in the opinion polls, and the position of leading political party in Italy[12]. This result came after the party's break-up – in September 2019 – of the "governing contract" ("*contratto di governo*") with the M5S, with whom it had formed the "yellow-green government" led by Giuseppe Conte (Conte I cabinet).

The Covid-19 crisis did not benefit the League and its political strategy at all. But before delving further into this, it is worth remembering that after tearing up the "governing contract" and collapsing the Conte I cabinet, a new alliance between the Democratic Party and the Five Star Movement gave birth to a different parliamentary majority and went on to form a new government (Conte II cabinet, 2019). The new alliance soon had to address the management of the first phase of the pandemic emergency with all its consequences, from harsh negotiations on European financial programmes, to lockdowns and other measures to reduce the spread of coronavirus. As already noted, the League did not benefit from being in the opposition to government; for instance, at the end of the first wave in August 2020, polls gave the party 24,6%, while the Brothers of Italy, the other Italian radical-

[12] Source: YouTrend opinion polls (30 January 2020) "Supermedia sondaggi politici, 30 gennaio: solo 3,7 punti separano M5S e FdI", https://www.youtrend.it/2020/01/31/supermedia-sondaggi-politici-30-gennaio-solo-37-punti-separano-m5s-e-fdi/.

right party, passed in the same period from 11,3 to 15,3%[13]. It is not easy to understand the reason for this drop in support, yet we can preliminarily argue that in times of a health crisis (coupled with prolonged emergency measures), the populist discourse is not as effective as in "more ordinary" times of, say, "normal" economic crises (Wondreys and Mudde, 2020).

While the pandemic was raging throughout the country, between January and February 2021 Italy was not only hit by a second devastating wave of Covid-19, but by a political crisis too. In parliament, the centrist party, Italia Viva – led by the former Prime Minister and former secretary of the Democratic Party Matteo Renzi, withdrew its support from the Conte II cabinet (most especially for the management of the financing plan linked to the Next Generation EU). After a short "interregnum", the President of the Italian Republic, Sergio Mattarella, decided to give the task of forming a new government to the former governor of the European Central Bank, Mario Draghi (Bruno, 2021) (more in paragraph 3). The fourth "technocratic government" of Italian history was born.

Crucially, all political parties supported Draghi's appointment *except* Giorgia Meloni's Brothers of Italy, the only opposition party. Even the League, notoriously a Eurosceptic and anti-immigration party, agreed to support the new executive. In this respect, Salvini declared: "I rather prefer to play the game and manage 209 billion euros than not" – a clear reference to the Italian share of the Next Generation EU (NGEU) plan agreed in July last year (Bruno, Ibidem). In the days that

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[13] Source: YouTrend opinion polls (6 August 2020), "Supermedia dei sondaggi politici, 6 agosto: Lega ancora in calo, mentre crescono FdI e M5S", https://www.youtrend.it/2020/08/07/supermedia-dei-sondaggi-politici-6-agosto-lega-ancora-in-calo-mentre-crescono-fdi-e-m5s/.

saw Draghi being sworn in as Italy's new PM, the League was polling at 23%, *its last time* as the country's leading political party[14]. Actually, since March 2021, both the Brothers of Italy and the Democratic Party had started gaining considerably in relation to Salvini's party. Moreover, as can be seen in the opinion polls published one-year after the birth of the Draghi executive, the overall situation has changed dramatically, with the League polling at 18,3% by the end of January 2022, behind both the Brothers of Italy (19,4%) and the PD (21,3%)[15].

In conclusion, in exactly two years, the League moved from a pre-pandemic 30,7% (January 2020) to 18,3% (January 2022), passing from being the leading political party in Italy to a poor third position, losing a massive 12,4% in preference terms – at least according to the polls.

2.2 The Five Star Movement: From populist to moderate and liberal?

On the Five Star Movement's populism much has been written. Defined by some as an "eclectic" case of "neither left nor right" party (Mosca and Tronconi, 2019), "polyvalent" (Pirro, 2018), or as "purely a protest movement" (Passarelli and Tuorto, 2018), the Movement has significantly influenced the last decade of Italian politics.

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[14] Source: YouTrend opinion polls (19 February 2021), "Supermedia dei sondaggi politici, 18 febbraio: il peso dei partiti all'inizio del governo Draghi", https://www.youtrend.it/2021/02/19/supermedia-dei-sondaggi-politici-18-febbraio-il-peso-dei-partiti-allinizio-del-governo-draghi/.

[15] Source: YouTrend opinion polls (28 January 2022), "Supermedia YouTrend/Agi: PD a +1,9 su FdI", https://www.youtrend.it/2022/01/28/supermedia-youtrend-agi-pd-a-19-su-fdi/.

Using Mudde's ideational definition of populism as the "thin ideology" (i.e. pure people vs the corrupted elites), there is no apparent "thick" or "core" ideology that can be associated with the M5S populist brand. Now a fully-fledged political party, under Giuseppe Conte's leadership the M5S has increasingly adopted a pro-EU, moderate and even liberal stance on a number of political matters, enthusiastically opting to support the Draghi executive. Abandoning for a while the debate around the nature of the Five Star Movement's populism, it is possible to say that the Movement (founded by Beppe Grillo in late 2009) was the real winner of Italy's 2018 general elections, with 32,6% of the seats won in the *Camera dei Deputati* and 32,22% in the Senate.

However, the Movement's downward parabola began with its governing alliance with the Lega (Conte cabinet I), when it started to lose consensus with the more defiant (and populist) political rhetoric of the (then) allied Salvini. Under the Conte II government, and on the eve of the first Covid-19 wave in Italy in January 2020, Luigi Di Maio left the leadership of the Movement. The opinion polls had the M5S at 15%, less than half of the votes obtained in the 2018 general election, whilst the League had surged to its peak of 30%. At the end of the first Covid-19 wave, notwithstanding the tough lockdown measures imposed by the Conte executive, the M5S did not lose support according to polls, thanks especially to the personal support given Giuseppe Conte, able to speak directly to the nation during the harshest months of the pandemic emergency, enjoying the "rally round the flag" effect, i.e. short-lived popular support of a country's political leaders

during periods of international crisis[16]. The M5S-PD executive lasted until February 2021, when – as already known – a group of MPs belonging to Italia Viva withdrew their support from the executive (Bruno, 2021). In February 2021, in a rather surprising move, given its opposition to "technocrats" (as in the case of Monti cabinet), the M5S opted to support the Draghi executive, in a government comprising the League, the Democratic Party, the left-wing Liberi e Uguali and Italia Viva. This move to support the executive, as in the case of the League, came as a novelty to the media and the analysts, not only because the M5S formally moved into a "classic" political party and accepted the leadership of former PM Conte, but also in consideration of the new pro-EU, moderate and liberal stance (Adnkronos, 2021).

2.3 Brothers of Italy: Between populism, conservativism and far-right

In contrast to what has been said above regarding the League and the Movimento Cinque Stelle, the label of "populist" for the party founded by Giorgia Meloni in late 2012 is more controversial, with scholars defining it as a populist radical-right party (Albertazzi et al., 2021; Castelli Gattinara and Froio 2021), while others would opt to label it a fully-fledged far-right party, not to mention the vexed question of "neo-" and "post-fascism" (Bruno, 2021b; Bruno et al., 2021; on the definitions again see: Jupskås and Leidig, 2020). In contrast to the League, Meloni's party, with a much deeper and older ideo-

[16] Actually, a record 61% of people interviewed supported the Conte cabinet in July 2020 (Il Fatto Quotidiano, July 2020; see also Bruno et al., 2021b) despite the decline of the FSM.

logical base in Italy's postwar neo-fascist parties, was able to steal a huge amount of consensus away from the League – thus showing how consensus can "swing" when two parties play on the same populist-radical-right and far-right ground (Bruno and Parsi, 2021). For the reasons just mentioned, labelling the Brothers of Italy party as populist may only partially grasp the main features of Giorgia Meloni's leadership. However, we opted to keep Brothers of Italy with the League and the M5S among the parties in Italy that can be defined more coherently as populists. Perhaps it is worth remarking that the Brothers of Italy remains the only opposition party in the current Italian parliament; beyond further considerations on the state of parliamentary democracy, this fact helps explain the rising consensus with the party.

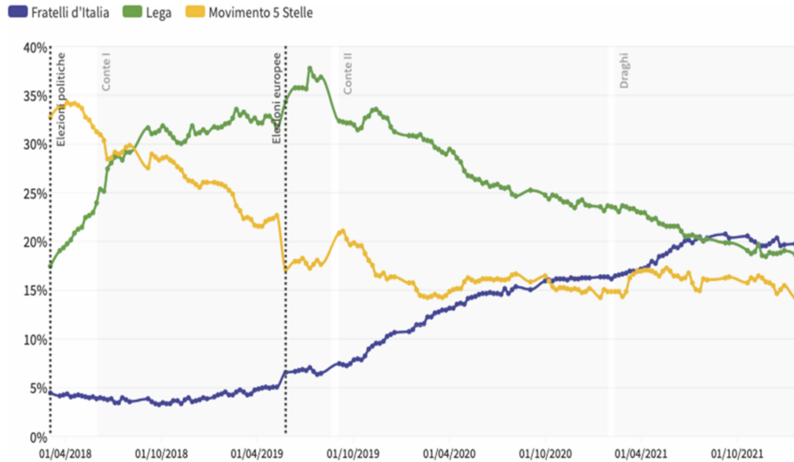
2.4 Populist political parties and Covid-19 in Italy: a two-year balance (2020-2022)

We can now go back to the central question of this chapter: have the political system and political parties in Italy changed over the two years of the Covid-19 pandemic? If so, in which new directions? More precisely, what has been the impact of the Covid-19 pandemic on the Italian "populist" political family over the last two years (2020-2022)?

Beginning with the League, Table 1 illustrates how, during the pandemic years, the decline in support consolidated further; a decline already started after the second Conte cabinet (September 2019), when the party led by Salvini had peaked at an historical 37% according to opinion polls. On the other hand, the Movimento Cinque Stelle had seen a sharp decline already during the first Conte cabinet, when governing with the League ("yellow-green government"), passing from 32% in the general election of May 2018 to 17% in the European

Parliament election (May 2019); over the two-year period of the Covid-19 pandemic, the M5S has remained stable at around 14-15%.

Table 1: Movimento Cinque Stelle, Lega and Fratelli d'Italia support for the period 04/2018-01/2022 (General election and EP election results, opinion polls)



Source: YouTrend

In Table 2, the opinion polls have been selected in relation to what we have identified as key events: "pre-pandemic" status, the "end of the first wave", the "Draghi Executive", up to the latest polls in late January 2022, when Italy was electing its *Presidente della Repubblica* (President of the Italian Republic). Table 2 better illustrates how the Brothers of Italy was able to "capitalise" on the Covid-19 emergency, almost doubling its electoral support in two years (from 11,3% to 19,4%), while the League lost considerable ground (-12,4%). As already seen in Table 1, the M5S has remained stable in the range of 14-15%.

Table 2: Opinion polls of Movimento Cinque Stelle, Lega and Fratelli d'Italia for the period 2020-2022

	30/01/2020 "Pre-Pandemic"	06/08/2020 "End of first wave"	19/02/2021 "Draghi Executive"	28/01/2022 Latest polls	2020-2022 Difference (%)
M5S	15%	16,6%	14,8%	14,5%	-0,5%
Lega	30,7%	24,6%	23%	18,3%	-12,4%
Fratelli d'Italia	11,3%	15,3%	16,5%	19,4%	+8,1%

Source: YouTrend

We can now make some preliminary comments. Beginning with the Five Star Movement, it disrupted the Italian bipolar configuration in two national elections, 2013 and 2018. While part of the "yellow-green" government, it began its downward parabola in conjunction with a process of normalisation and institutionalisation, finally accelerated by its participation in a government with the Democratic Party and in the current technocratic executive (epitomised by the figure of Luigi Di Maio, a now moderate political figure after becoming Minister of Economic Development and Labour under Conte I, then Foreign Minister under both the Conte II and Draghi governments). In addition, despite an important share of personal consensus earned by former Prime Minister Conte during the first phase of the emergency, the Movement (especially after its support for the Draghi executive), seems to be in search of a new identity and, above all, finds itself in a prolonged phase of marginalisation within the Italian political system (compared to the golden years 2013-2018). The Lega case differs partially. Salvini's party benefited from being in the government coalition with the FSM, while even after the

breakup it continued its phase of expansion. However, the eruption of the pandemic coupled with the support given to the Draghi executive seem to have significantly decreased its share of consensus. Looking finally at the Brothers of Italy: here, it seems that riding the wave of protests against governmental measures to counter the spread of the coronavirus (lockdowns in particular), and opposing the Draghi government, have enhanced the party's reputation (and therefore position) in society.

While populism may be conceived as one pole of the puzzling Italian situation, the next section discusses the other side of our conundrum: technocracy.

3. Back to the future: *from the pandemic emergency to the fourth "technocratic" government*

The formation of "technocratic" governments characterises Italy as a unique case within the field of Western liberal-representative democracies. Before understanding the overall features and consequences of the establishment of such executives, it is important to comment on their basic defining features. Following the definition and classification of McDonnell and Valbruzzi (2014, p. 656), a technocratic government is such when (I) major governmental decisions are not made by elected party officials; (II) policy is not decided within parties which then act cohesively to enact it; (III) the highest officials (ministers, prime ministers) are not recruited through party[17]. Thus, technocrats are not – in Weberian terms – "pro-

[17] Technocratic governments can be further distinguished between full technocratic governments when these are composed solely by technocratic (i.e. non-party) figures, and technocratic-led governments when (1) the

fessionals of politics", but usually (a) high-level officials coming from State apparatuses (in particular central banks and regulatory agencies), and (b) academics, usually from top-level (and private) institutions. In Italy, for instance, many of the key technocratic figures came especially from the ranks of the Bank of Italy (among many others, the Prime Ministers Carlo Azeglio Ciampi, Lamberto Dini and Mario Draghi; the Treasury Minister, Guido Carli, and the Minister of Economy and Finance, Tommaso Padoa Schioppa). Crucially, the Bank has historically developed a "near monopoly of specialised economic knowledge"; in particular, its *Servizio Studi* "has been by far the most important thinktank and research centre in the Italian economic sector" (Quaglia, 2005, p. 549). If, in Foucauldian terms, knowledge and power enjoy a direct and mutually reinforcing relationship, then this allows us to understand why the central bank provided – over a period of more than thirty years – an important number of government officials in an era of growing financial and economic interdependence.

Thus, over the last thirty years (i.e., the period of the so-called Second Republic), Italy witnessed to the formation of four governments led by technocrats: Carlo Azeglio Ciampi (from April 1993 to May 1994), Lamberto Dini (from January 1995 to May 1996), Mario Monti (from November 2011 to April 2013), and the current one led by Mario Draghi (13 February 2021 to present). In other governments, too, especially since the 1990s, technocrats have occupied positions as ministers of Treasury, and of the Economy and Finance, often

prime minister is a technocrat; (2) the majority of ministers are technocrats; (3) they have a mandate to change the status quo (McDonnell and Valbruzzi, 2014, pp. 662-64).

in conjunction with positions in European institutions. A reconstruction of this historical trend and of the "network of technocrats" goes beyond the scope of this study, yet several common elements that favour the rise of technocrats in the State can be stressed (for a fuller account see Cozzolino and Giannone, 2021). First and foremost, a situation of nationwide crisis, especially (but not only) in public finance, that puts the country's stability at risk. In particular, in an era of growing interdependence of financial capitals, the role of international creditors and financial markets exerts a great deal of influence at home, with the result that the "technocrats" aim to "reassure" the markets about the country's credibility pathway of reforms. A second key factor, is the role of European integration and the establishment of the Economic and Monetary Union (EMU). As the classic study of Dyson and Featherstone (1996) has demonstrated, the policy negotiation on EMU was largely driven by a small technocratic elite, which started to play an important role in terms of (direct and indirect) neo-liberal and austerity-oriented policy influence. A third fundamental trend, is the increasing strengthening of the core executive – especially the head of government and his financial minister – within the State, with a parallel marginalisation of the parliament. Technocrats have historically played a key role in fostering a "presidential" twist within Italian republican institutions, by contrast originally characterised, according to the Constitution, by a parliamentary-centred system (Cozzolino, 2021). In this respect, for instance, in 1993 the first technocratic executive led by C.A. Ciampi massively resorted to the instrument of decree laws (instead of parliamentary laws) to pass a huge number of neoliberalising measures (especially privatisation and liberalisation), triggering a path-dependent tendency based on the (*ab*)use of emergency legislative mechanisms in order to fast-

track policy implementation. Furthermore, this government passed an electoral law in 1993 that modified the political system from a multipolar configuration based on a proportional electoral law, to a bipolar one based on a majoritarian electoral system – this in the name of "stability", but actually resulting in an overall decrease in broad political representation. According to some, since the transition to the Second Republic, the form of the Italian State has moved towards a *de facto* presidential system (Musella, 2019). Within these macro-tendencies (presidentialisation, neoliberalisation and European integration), the formation of the Draghi executive is no exception, amounting to a further considerable distortion of democratic procedures within a situation of ongoing multiple emergencies.

3.1. The formation of the Draghi government and the crisis of parties

As noted above, the Conte II cabinet entered a crisis when the MPs of Italia Viva decided to withdraw their support from the executive through the resignation of two ministers[18]. After a short stalemate and feverish negotiations, the President of the Republic – the main actor, rather than the parliament, in the formation of this and all other technocratic executives – decided not to call new elections because of both the pandemic crisis and Italy's commitments to Europe (especially in wake of the implementation of the first Next Generation EU instalments). The choice, as in other recent national crises, fell on a "high profile" government led by the former governor of

[18] The ministries are Teresa Bellanova (Agriculture) and Elena Bonetti (Family).

the European Central Bank, Mario Draghi. According to several scholars of constitutional law, the formation of this government followed a pathway of increasing strains on parliamentary procedures (Cavaggion, 2021), resulting in a further compression of the functioning and “fundamental traits” of a representative democracy (Talini, 2021). After accepting the task, Draghi went on to form a government comprising both non-political figures and individuals coming from parties. In the first group, technocrats were assigned key ministries such as the Economy and Finance; Interior; Justice; Green Transition; Education; Universities and Research.

The position of political parties supporting this government is puzzling. First of all, it is worth remarking that, for the first time in the Italian Republic’s history, all parties in parliament (with the exception of only one, the aforementioned Brothers of Italy) from the left to the radical right of the Lega came together in this monster coalition in support of Draghi’s government. It is still too early to say what the effects of this situation will be in the medium to long term. However, the relationship between “technocracy” and “politics” in favour of the first is part of a more general trend towards the weakening of political parties, not only within State institutions but also in society at large. In other words, “large” coalitions in support of technocrats could risk further devaluing the entire party system and representative democracy as such.

One final remark concerns the European factor. One of the main pressures behind the change of government has been the Next Generation EU (NGEU) programme and – above all – its management and fast-tracked implementation of policy measures. As we argue in the next paragraph, Italy, like all other Member States, presented its National Recovery and Resilience Plan (NRRP) in order to have access to the

NGEU's financial programme. Here, the technocratic dimension is important not only because of the self-evident fact that the draft Plan was prepared and presented in Brussels by a technocratic executive, but also because of the overall technocratic governance structure of the Plan, which confers key powers to the Prime Minister in all stages of the Plan's implementation. As we show in the next paragraph, the NRRP has amounted to a significant compression of the role and procedures of the Italian parliament.

3.2. The case of the National Recovery and Resilience Plan

In this paragraph we provide for a brief evaluation of the NRRP, a case of "technocracy in action" within the European political economy. During the pandemic, European institutions (especially the Council and the Commission) launched the aforementioned NGEU, namely a financial intervention plan amounting to €800 billion in the 2021-2027 budget term, with the aim of "helping to repair the immediate economic and social damage caused by the coronavirus pandemic", so as to make "post-COVID-19 Europe [...] greener, more digital, more resilient and more fit for current and future challenges"[19]. The core of the NGEU is the *Recovery and Resilience Facility* (RRF), within which every Member State launches its NRRP. Equipped with a budget of €723.8 billion, the RRF comprises both loans (amounting to €386 billion) and grants (amounting to €407 billion), to formally support European

[19] European Commission, *A recovery Plan for Europe*. Available at: https://ec.europa.eu/info/strategy/recovery-plan-europe_en. Accessed on January 6, 2022.

countries' reforms and investments[20]. Drafted under the aegis of Prime Minister Draghi and the Ministry of the Economy and Finance, Italy sent its PNRR to the Commission on April 30, 2021. A few weeks later, on June 22, the Commission – with a detailed analysis – approved the programme, which was then made definitive by a Council decision (July 13). The case, and the role, of the Italian Parliament deserves special mention in this particularly tight process. The parliament received the final text of the PNRR for an overall assessment only a few days before it was sent to Brussels, i.e. on April 25 (approving the text on April 26 and 27). In addition, the Plan was further amended in the Council of Ministers on April 29, i.e. after the vote in the Chamber of Deputies and Senate. After sending the document to the Commission on the 30th, it was then sent back to parliament after further amendments. Overall, the parliamentary debate was significantly compressed with regard to the drafting of the Plan and the provision of substantial amendments. A paradoxical situation, given the fact that it is one of the most important reform and investment programmes in the whole of Italian history.

Alongside the *de facto* exclusion of parliament from a reform and investment plan that will engage the country over the next 7-10 years, what matters here is also the technocratic governance structure of the NRRP. In short, the key institution entrusted with the general implementation of the Plan is the Steering Committee ("*Cabina di regia*")[21], which is chaired

[20] The Italian share of the NGEU is €191.5 billion. Of this, €122 billion is loans and €68 billion grants.

[21] Together with the Steering Committee, the other key body is the Technical Secretariat ("*Segreteria Tecnica*"), whose term of office is longer than that of the government establishing it and continues until the completion of the NRRP. The Secretariat, which operates in coordination with other

by the Prime Minister. The Committee exercises powers of general direction and coordination over the implementation of the measures. Furthermore, it draws up all the guiding principles on the NRRP's implementation and supervision; it examines critical elements and monitors the measures that require further regulations; every six months it submits to Parliament a report on the state of the art; and where necessary, it proposes the activation of "replacement powers" ("*poteri sostitutivi*")[22].

While space limitations disallow a thorough reconstruction of several aspects of the Plan, what is important to note is that, once again, we are seeing a process of centralised decision-making that benefits most keenly the Prime Minister's executive powers and the technocratic forms of steering, with a further marginalisation of political and social representation within and outside parliament.

4. *Conclusions*

At the beginning of this chapter, we raised several research questions: have the political system and political parties in Italy changed over the two years of the Covid-19 pandemic? And, if so, in which new directions? More specifically, what has

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units also located within the institutional structure of the Prime Minister, has the particular task of supporting the Steering Committee.

[22] The Prime Minister may appoint a commissioner in case of (i) failure to adopt acts or measures necessary for the implementation of the interventions, or (ii) delay, inertia or non-compliance with the implementation of the projects. This power of substitution can also occur if a Minister "fails to adopt the necessary measures" or "in cases where situations or events hindering the implementation of the plan cannot be overcome rapidly".

been the impact of the Covid-19 pandemic on the Italian "populist" political family over the last two years (2020-2022)? It is not easy to sum up some of the main evidence arising from such difficult and rapidly-changing times. Regarding the populist party family, each of these parties naturally represents a unique case, especially when considering the intervening variable of the technocratic government's formation. Generally speaking, the hypothesis that populist parties, once they enter a process of normalisation and institutionalisation, quickly lose consensus seems to be confirmed, at least partially. Both the M5S and the League have not only suffered from social protests against lockdowns (and other emergency management measures such as green passes), but at the same time also – perhaps, above all – from participation in and the support given to the Draghi government. Clearly, this event was viewed by many sympathisers and activists alike as a betrayal of the historical positions of the two parties. At the same time and more broadly, the participation of almost all parties in the Draghi government, together with the recent reappointment of Sergio Mattarella as President of the Republic, seems to have given a further jolt to the resilience and reputation of the parties, already in a prolonged crisis (Palano, 2020).

Finally, the issue of technocracy is also particularly relevant. As we have shown in this chapter, all of the main crises that occurred in Italy over the last thirty years, were accompanied by the formation of technocratic executives alongside processes of centralisation of decision-making power, and an ever-increasing European integration, as the NRRP makes abundantly clear. In conclusion, it is not easy to identify what long-lasting effects the Covid-19 crisis will have, especially on populism. In specific relation to the Italian case, overall decline of trust in parties (with few exceptions), new polarisations between "politics" and "technocracy" – within the crisis

of democratic forms and procedures – seem to be in a phase of further consolidation and will likely mark the post-Covid national political system.

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Vision and Trust after Covid-19: the role of italian political elites

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Abstract. The relationship between Italians and the elites is ambiguous: phases of great distrust alternate with ones in which the elites are very high appreciated. This is not an exceptional phenomenon, being a characteristic of a representative democracy's functioning. This article aims to review the turning points in the history of the Italian political system in which the role of the elites proved pivotal. Examples include the change in the electoral law, the birth of a technocratic government and, during the crisis, the party system. However, it is sometimes external factors that influence the actions of the elites. Covid-19 is one such case, having impacted the system of the Italian elites. While on the one hand it "awakened" them, on the other it highlighted the absence of elites resulting from the interaction between the party, electoral and government systems. However, there are signs of trust: a new system of elites could arise from a new balance between the quality of its members and the institutions that allow everyone to *aspire* to top positions.
Keywords: Elites; Democracy; Italian Political System; Political Representation.

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1. *The Deep State and Irrational Society*

The fifty-fifth annual report of Censis (Censis, 2021) confirmed an interesting statistical data: 67.1% of Italians think that there is a “deep state”, where real power is concentrated in the hands of a group of powerful people, composed of high-level bureaucrats, politicians, and businessmen. The survey showed that this idea is present in all sections of the population, without any distinction between educational level: almost 60% of those with a degree and 72% of those with a high school diploma are convinced of the existence of such a power concentration. These findings emerge within a framework that highlights how the “neo-conspiracy behind it” influences a significant portion of citizens’ opinions. Once again, the concentration of power in the hands of a few is viewed with suspicion.

This data must be analyzed in relation to a long-term trend, which does not only concern Italy. In many Western Democracies, citizens associate elites with an opaque, impenetrable and sometimes undemocratic world. Add to this the constant distrust in the political class and the illusion generated through *Information and Communications Technologies* (ICT) to cancel representative mediations, and the scenario becomes very worrying indeed. The most obvious consequence of these tendencies is the electoral success of those parties that aim to interpret the moods of the “pure” people before the “corrupt” elites. The intention is to dissolve the elites, but democracy needs elites.

As elitist theories have established (Sola, 2000), there is no doubt that through every period and in every society a numerically small group has tended to concentrate in its own hands a great deal of power. And it is therefore inevitable that some citizens have more power than others. This acquisition is par-

ticularly important because it allows a proper functioning of representative democracy: through elections, citizens delegate *some* of them to represent them. Complex societies cannot do without mediation between those who command and those who are commanded. Nowadays, however, the desire to remove any gap between the elites and citizens seeks to establish a direct relationship between representative and represented. In reality, opinion polls periodically confirm citizens' criticisms of the mediation between politicians and parties.

How is it possible to explain this contradiction? It is no coincidence that the key word of the Censis 2021 report is *irrationality*. In public opinion, widespread views clash with scientific findings and empirical evidence. For example, with regard to the field of medicine, the Censis study also showed how Covid 19 aggravated certain aspects of this irrationality. Take these two emblematic findings: 31.4% of Italians believe that the Covid-19 vaccine is an experimental drug and, therefore, those who get vaccinated are guinea pigs; and for 5.9% of Italians (about three million people) Covid-19 does not exist. These data should not be underestimated: *neo-conspiracy* positions are even changing the shape of the vote in Italy and there is a possibility that they may also weigh in the rearticulation of the party system (Serani, 2022).

2. *Covid-19 and the Renaissance of the Elites*

Generally, during these two years of pandemic, the role of elites has become more evident in the eyes of public opinion. In fact, especially during the first months of the pandemic, there was a re-evaluation of skills and, thus, of the essential role of *epistemic elites* within the decision-making process (Pamuk, 2021). As soon as the tension eased, trust in doctors

suffered a slight decrease compared to the very high peaks of the first six months of 2020; however, the Covid emergency has unquestionably brought out the link between representation and competence as a typical component of a liberal democracy (Campati, 2020a). Indeed, it is one of the *balances* that have been laboriously achieved and which must be preserved, since epistemic mediation is essential for representative government (Biale and Bistagnino, 2021).

The Covid-19 emergency also put the *economic elites* to the test, both in the early phase of the pandemic – when they found themselves facing a decidedly unexpected situation – and in the current phase – one of (hoped for) recovery. The ways in which they have been operating in recent months will determine most of the future decisions of the next generations. With the pandemic, however, certain elites have been strengthened: the Oxfam report (January 2022) notes how the pandemic has also increased inequalities in Italy while, at the same time, economic policies and the political and social culture are perpetuating the wealth and power of a privileged few to the disadvantage of the majority of the planet's population. A *super elite* among the rich has become even more influential and wealthy. Fortunately, the *social elites* have found an opportunity to redeem themselves after decades of being accused of lacking incisiveness, closed within their corporate and self-referential logic. Some, during the pandemic, have managed to organize networks of cooperation, but this change of direction will only be confirmed (or not) in the coming months.

Regarding the political sphere, about a year after the pandemic's outbreak a new government took office in Italy, headed by Mario Draghi. After a 2020 that had been complicated from various perspectives and prejudiced, above all, by the spread of the coronavirus (Giovannini and Mosca, 2021),

a new government was created to replace the Conte II government. The President of the Republic, Sergio Mattarella, played a decisive role in the choice of the former governor of the European Central Bank (ECB). The birth of the Draghi government revived the controversy around the *technocratic elites* who, according to some interpretations, would now have a political weight much greater than that of the representatives democratically elected by the citizens. In the last thirty years of Italian history, this controversy has reappeared every time unelected individuals, in some cases with no direct political experience, have been called to lead the executive (Fazi, 2021). This is, in fact, only one aspect of the complex relationship of Italians with the elites.

3. *The Italian Identity and the Short-sightedness of the Elites*

The concept of elitism is characterized by *dynamism*, *flexibility* and *exportability* (Ornaghi and Parsi 1994, pp. 40-42). More than the opposition between the *elected* and the masses (typical of the contemporary narrative, especially with reference to populism), it is the relationship between the *elected* and the *unelected* that allows one to precisely define the dynamics of organized minorities. This *dynamism* can also undermine the balance between the few and the many in democracy, when – faced with the aspiration of the *many* to become one of the *few* – the elites favor an oligarchic closure to hinder any new entries. The concept of elitism is also more flexible than others (for example, the term *political class*) and this helps one better understand where power is actually concentrated: in an increasingly evident way, power is not only in the hands of the political elite, but also in those of the economic and financial elite, as well as the cultural and social elite. In this sense, elit-

ism is then also a more *inclusive* concept. Finally, it is *exportable*, in that it can also be used outside the historical and geographical contexts for which it was created.

All three of these elements are certainly important when studying the Italian elites as, since Unification, the history of Italy has been closely linked to the role assumed by its ruling classes (Bongiovanni and Tranfaglia, 2006). As far as Italian republican history is concerned, their actions have been influenced by several factors: European constraints (Diodato, 2014), the configuration of the party system (Scoppola, 2011) and even the particular national *identity* (Galli della Loggia, 2010). But, each time, their actions have been met with dissatisfaction. These elements all feed, from time to time, dissatisfaction with the elites. This has led more attentive observers to point out that any political discourse on the Italian elites risks being a story of "absence" or at least of "incompleteness" (Ornaghi and Parsi, 1994, p. 15). In addition, the Italian political elites have given up on elaborating an ideology that could unify the very thoughts and actions needed to get out of everyday practice (Irti, 2008, p. 58).

Analyzing the types of elites that have succeeded each other over the years, one can easily detect their increasing shortsightedness. Carlo Carboni has identified three types: *moralizers, negotiators and persuaders* (Carboni, 2015, pp. 69-76). The first are the founding fathers of the Republic and the representatives of the great Italian industrial capitalism of the North: in practice, the ruling class that led Italy in the first twenty-five years of the post-war period. Its members were self-made men, trained in the field of reconstruction and development. Among the political elites we recall Alcide De Gasperi and Palmiro Togliatti, among the technocratic elites Luigi Einaudi and Enrico Mattei, while representing the industrial world, were Olivetti, Agnelli and Falk. This group of elites was

characterized by a strong anchoring to Europe and the Western alliance. However, it failed to eliminate some of the provincialism that continued to permeate Italian society. In the following decades, the *negotiators* emerged. They were a political elite that saw mediation between the different interests of society as their main *raison d'être*. Within this context, the "State bourgeoisie" was strengthened, becoming pivotal to the system thanks also to the support of the large Trade Union organizations and lobbies. Subsequently, most markedly from the early nineties with the increasingly intrusive presence of the media (particularly television), the traditional elites were replaced by leaders capable of speaking *directly* to the people. These are the *persuaders* who, rather than closing the gaps in society between citizens, have widened them even further, failing most notably in their main task: to guide the country towards a common path.

It is no coincidence that, at the beginning of the 2000s, Lorenzo Ornaghi and Vittorio Emanuele Parsi (2001) entitled their research, *Lo sguardo corto;* this was specifically intended to indicate how the Italian elites, at the start of the Millennium, have failed to show the road we should be taking. In this sense, they evoke a true *secession of the elites* (Ornaghi and Parsi, 2001, pp. 146-147), which will become increasingly evident over the following decades, bringing with it many risks for the future of democracy.

4. *The Elites and the Italian Political System*

The circulation of Italian elites is influenced by the particular "exceptionality" that has characterized Italian democracy since its foundation (Craveri, 1998). Certainly, we can trace periods in which their presence is more evident and incisive:

as already mentioned, at the start of the Republican era, increasingly numerous and varied *social elites* emerged, new *bureaucratic elites* were consolidated within the State, and *intellectual, entrepreneurial, editorial* and *artistic elites* were strengthened, each within their own sphere, to make a concrete contribution to the rebirth of a country torn apart by the Second World War.

Political *elites* were mainly linked to political parties and were characterized by the intent to pursue a strong hegemonic project. In other words, they were distinguished by a strong vision of the world and the objectives to be pursued. This was reinforced by the presence of training and selection hubs that played a crucial role in this historical phase: not only the training schools of political parties, but also cultural centers linked to the world of business, Trade Unions and Universities. At least until 1978 – the year of Aldo Moro's kidnapping and death, and a turning point for the Italian political system – the systems governing Italy's elites were not perfect, but they certainly guaranteed the selection of elites aware of their leading role (Galli, 2012, p. 96). It is no coincidence that a recent rereading of the so-called First Republic experience sets its conclusion precisely in 1978 and emphasizes how the mediation of political elites is still necessary to ensure the proper functioning of a democratic political system, as was the case during that time (Passigli, 2021, p. 11).

The eighties represented the prelude to what would occur in the following decade. The recruitment mechanisms of the political classes were still entrusted to recognizable selection circuits, albeit influenced by the new trends taking place – the presidentialization processes, the attempts at institutional reform (from the *Great Reform* onwards) and the use of increasingly sophisticated communication and propaganda techniques to shake public opinion and affect the circulation of

the elites. There was an ever-greater temptation to rely on personnel from "outside" politics to encourage its renewal.

The 1994 elections confirmed this. In fact, they produced a stark turnover of the political class, inaugurating a period of "cold civil war" (Belardelli, 2014) between supporters and rivals of Silvio Berlusconi. It was the apotheosis of the trend towards *depoliticizing the elite*. In fact, during the first years of the so-called Second Republic (Bonini, Ornaghi and Spiri, 2021), it seemed that civil society was making up for the absence of a competent and honest political elite. And that, at the same time, a new elite had emerged that occupied all public space, taking it from the cultural, bureaucratic and economic elites that until then had influenced the fate of Italy. In truth, there has been a voluntary, further disconnect between society and politics, and between social and political elites. The inevitable reproducibility of a political class has been ascertained, thereby removing any chance of "cancelling" it. However, these elites stood back: "instead of supervising the co-optation and training of new members, they loosened the deontology, relaxed their control, and turned a blind eye to insufficiencies and infractions" (Galli, 2012, p. 110). In other words, they relinquished their leading role. It is no coincidence that empirical studies on the Italian political class have revealed three characteristic deficits in the career system: *sobriety*, *transparency* and, indeed, *responsibility* (Verzichelli, 2010, pp. 143-144).

Of course, this "withdrawal into privacy" was only temporary. In 2011, with the birth of the government led by Mario Monti, the elites returned to the foreground. As has been observed with the birth of any new technocrat-led government, it is when one is standing on the edge of the abyss – "facing a threatening external constraint" – that the elites move (Galli, 2012, p. 123). A similar situation also occurred in the period 1992-1995 with the governments led by Giuliano Amato, Car-

lo Azeglio Ciampi and Lamberto Dini, although they differed significantly from each other in terms of their genesis, parliamentary composition and policies produced. However, they represent moments in republican history during which technocratic elites overlapped with politics, sometimes to the point of incorporating it (De Rita and Galdo, 2014, pp. 52-53).

In the weeks following the inauguration of the Monti-led government, a very heated controversy flared up in the mass media regarding the legitimacy of that choice. The debate was far more virulent than the one that ten years later would bring about the birth of the Draghi government. In fact, public opinion increasingly holds that politics is now controlled by technocracy and, once again, the elites are accused of having "betrayed" the voters' mandate. In reality, the procedure governing the formation of the Monti government followed the typical logic of a parliamentary system that does not directly link the electoral outcome to the choice of the head of government. But that controversy indicated how the term "elite" is used not only in a largely generic way but also always with negative connotations.

It is no coincidence that the fierce battle against the "caste" (and its power system) was one of the pillars of the Five Star Movement (M5S). A strategy that earned it an important result in the general elections (2013) and determined – once again – a drastic discontinuity in the circulation of elites. The turnover rate in the Italian Parliament reached a very high level: only 35.6% of those newly elected were outgoing parliamentarians, thanks above all (but not only) to the entry of the Five Star Movement. The interesting fact to note is that this rupture in the renewal of the *parliamentary elites* was the result of a controversy against the elites themselves: born

to contest the elites, the M5S managed to achieve their replacement, but certainly not their cancellation.

In the same period, Matteo Renzi's leadership was affirmed: the key word in this case was *scrapping*. That is, the idea that the old elites (of the Democratic Party, above all) should be replaced with new elites. These are the years in which we witnessed a true "implosion" of the elites (Carboni 2015) and the emergence of a number of *inner circles* that seemed to assume more power than they had possessed through the history of democracies (Campati 2015; Campati 2020b). Moreover, Renzi's political rise symbolized – even more than that of Silvio Berlusconi in 1994 – a shift in the political center of gravity, from the parliamentary elites to the leader. But even in the face of *disruptive leaderships*, one thing is clear: the elites have not disappeared.

5. *Covid 19 and its Repercussions on the Elite System*

The eighteenth legislature of the Italian Republic, still in progress, is in many ways emblematic of the relationship between the political elite, parties and public opinion. After the 2018 "elections of change" (Chiaramonte and De Sio, eds, 2019), the Five Star Movement became part of a government majority for the first time. The "anti-system" party *par excellence* came to power and formed government coalitions, first with the Northern League (Lega Nord) (Conte I), then with the Democratic Party (Conte II), and, finally, a coalition composed of the Northern League, the Democratic Party, Forza Italia and other parliamentary groups (Draghi government). Although anti-establishment parties have become elites, their anti-elite polemic has not subsided.

In February 2021, with the birth of the Draghi government, the *technocratic elites* were once again called upon. As in 2011 with the Monti government, it was once more the President of the Republic who selected the former governor of the European Central Bank (ECB) as the most suitable candidate for leading the new phase of the Covid-19 emergency and, particularly, managing the Recovery Plan. But, compared to ten years earlier, the differences in political discourse were evident (D. Garzia and J. Karremans, 2021). Although both Monti and Draghi enjoyed a high level of popularity at the start of their terms, the contexts in which they governed differed profoundly, beginning with an economy that, in 2011 – unlike today – had austerity at its core. With the outbreak of the war in Ukraine, the scenario has changed even more.

At the institutional level, the Draghi government has aroused different reactions (L. Russo and M. Valbruzzi, 2022): for some, it represents an opportunity for a renewal of parties and Italian democracy; for others, the periodic recourse to "irregular" solutions could significantly change the interpretation of the Constitution, so further aggravating the crisis of political representation (Canfora, 2022, p. 9). There is no doubt that it is a government of compromise (Mastropaolo, 2021), which survives thanks to the loyalty of a very homogeneous coalition of parties. The fact to be noted, however, is not the composition of the parliamentary majority, but rather their internal fragmentation. During the First Italian Republic, the parties were also strongly fragmented – divided into "factions" (in Italian, *correnti*) – but they were able to regulate any divisions thanks, especially, shared ideological values. Once again, we are witnessing a short-sightedness.

As for the elites, the Draghi government has elicited a fact of great importance. Sergio Fabbrini (2021), after recalling that a political elite is not born by chance, but from an inter-

action between the party, electoral and government systems, states that the government led by the former Governor of the Bank of Italy represents further confirmation of the fact that an elite, understood as the outcome of such an interaction, has not yet been formed. Firstly, because an electoral democracy (2018 elections) has produced "representatives by chance", who are unaware of the complexity of governing a country that is interdependent on other Eurozone countries. But above all, because the weakness of our *elite system* is now endemic (Fabbrini 2010), aggravated by the more general crisis of the representative system, now unable to "act as a filter between the needs of citizens and those of the decision-making system".

Faced with the difficulties of managing the pandemic crisis, these fragilities are now obvious to all and have activated an *establishment* aware of Italy's interdependence and ready to govern it. In other words, the pattern is confirmed according to which, faced with an emergency situation, the elites return to make their contribution to the political leadership of the country and find a solid anchor in the Presidency of the Republic. The *structural* problem remains, because – Fabbrini emphasizes – a democracy cannot function by, from time to time, calling on the elites to solve the political problems: between the oligarchies *of the past* and the amateurs *of the present* it is necessary to bring out new political elites of interdependence.

6. *Going back to Trusting in the Elites?*

The reflection on the Italian elites must clearly take into account what happens in other Western democracies (Best and Higlet, 2018), in which there is an evident inability of the

elites to understand the real requests of citizens. It is now customary to contrast the motives of those at the top with the impulses of those at the bottom (Innerarity, 2020, p. 111). A rearticulation of the relationship between the *few* and the *many* is underway (Urbinati, 2020), which favors a change in the structure of democracy. In fact, elitism and democracy have returned to conflict and this puts at risk the fiduciary between representatives and those they represent, along with the associated quality of life (Portinaro, 2019, p. 162). In Italy this contrast is increasingly evident.

In February 2021, one year after the birth of the Draghi government and after the re-election to the Presidency of the Republic of Sergio Mattarella, the endorsement of the government led by the former head of the ECB was still very high: 60% of Italians expressed gratitude for the executive and even 43% said they were in favor of a new government of broad agreements, always led by Draghi, even after the 2023 general elections (Quorum-YouTrend poll of February 11, 2022). This data might seem to stand in stark contrast to the claimed deep distrust of politics among citizens. In fact, it once again indicates the ambiguity of the relationship between Italians and the elites: in general, they express a deep distrust in the elites, but they have not failed to accord them significant appreciation at certain points in Italy's democratic history, especially during emergencies. On closer inspection, this ambivalence is typical of representative democracies and there is no doubt that a new balance must be found between the few and the many (Campati, 2022).

In the coming months – in view of the general elections – the party system will be reorganized, especially if a new electoral law is adopted. This could also affect the circulation of political elites. The reduction in the number of speakers could lead to a lower turnover rate as incumbent MPs seek to

ensure their re-election. Alternatively, the emergence of new political movements could also change the scenario. Thus, we cannot predict whether there will be a significant turnover of parliamentary elites such as that which occurred in 2013 (when the turnover rate was 65.5%).

A reflection on the Italian political elites should start, first and foremost, with the observation that society as a whole has changed significantly in the last thirty years (Tuccari, 2020) and that some political processes that had sought to "exalt" society have proved ephemeral. The "myth" of a civil society considered always superior to the political elite has not only waned, but has generated great confusion between the public sphere and the political sphere. On the one hand, it has reduced the public's trust in politics; on the other, it has rendered the "social representations" even more ambiguous (Ornaghi 2021, p. 42). From this perspective – and to promote a more fluid turnover among the elites – a new leadership of intermediate bodies is desirable, along the lines of what is happening in other countries, like France (Labonnélie, 2020). In addition, the relationship between the elite and the institutional system should not be neglected. Some analyses of Italy's elites have followed Plato rather than Karl Popper, suggesting that the focus be more on *who* should govern and less on defining *how* political institutions can be organized to prevent bad or incompetent rulers from doing too much damage (Orsina, 2013, p. 29). A balance will probably need to be struck between these two contrasting positions, that sees the qualities of those who govern being nurtured while, at the same time, defining an institutional framework in which anyone can *aspire* to be elite, in full respect of the democratic rules.

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How the Covid-19 Crisis has Changed the Europhile-Eurosceptic Equilibrium of the Italian Governing Parties: a two-act piece with an open-ended finale

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Abstract. This chapter analyses how the advent and development of the Covid-19 pandemic has changed the Europhile-Eurosceptic equilibrium of the Italian governing parties facing the emergency. Three different governments have come in succession over the last four years and the shifting alliances between Eurosceptic anti-system parties (M5S, Lega) and traditional pro-EU parties (PD) translated into changing approaches towards the EU. During the first year of the pandemic, the relationship between the Italian government and EU institutions was marked by numerous moments of tension and the initial lack of solidarity made Europeanism feel unreciprocated. A radical change occurred with the appointment of PM Draghi to lead a government of national unity, which saw the M5S position mitigating month by month and the Lega making a sudden U-turn to a utilitarian perspective. The Covid-19 crisis has also stimulated a degree of reflection among traditionally pro-EU parties, like the PD, leading the way towards a more critical Europeanism.
Keywords: Covid-19; Italy; European Union; Europeanism; Euroscepticism.

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1. *Introduction*

Italy has long stood out as one of the most Euro-enthusiastic countries in the Union (Conti, 2003). The first signals of disenchantment emerged in the 1990s, when the effects of the Maastricht Treaty (1992) fostered the emergence of the European Union (EU) as a relevant domestic policy issue (Capati and Improta, 2021). The reshaping of national financial assets required for participation in the Economic and Monetary Union raised the first critical voices, which were echoed after the further transfers of national sovereignty endorsed by the Lisbon Treaty (2007) (Verney, 2011).

Over the last decades, the EU has faced multiple crises, which have all critically influenced the rise of Euroscepticism (Kneuer, 2019). Since 2008, Italian citizens, as many others within the EU, have had to face numerous challenges: a financial crisis, which weakened the country's economy and left thousands unemployed amid growing inequalities; a "migration crisis", with Italy struggling to cope with a growing influx of migrants from North Africa; and, finally, the Covid-19 pandemic (Cachia, 2021). During these crises, Italy invoked the support and help of the EU, but expectations were not always met.

In the 2000 Eurobarometer survey, more than 50% of respondents expressed a fairly positive opinion on the EU's image. This percentage started to decline in the early 2000s and worsened significantly in the 2011-13 period, decreasing by up to 20% (Seddone and Bobba, 2020).

In light of this, politicians came to see anti-EU sentiments as a resource for mobilising political and electoral consensus, and party positions towards EU integration became more differentiated (Brunazzo and Mascitelli, 2021). Interestingly, the changing party positions on the EU have become particularly

relevant in Italy's government formation process over the last few years (Capati and Improta, 2021).

The aim of this chapter is to analyse how the advent and development of the Covid-19 pandemic has altered the balance between Europhiles and Eurosceptics within Italian governments, which have had to face, and are still facing, the emergency. To do this, it seems necessary to make a preliminary excursus on the first Eurosceptic government that Italy has ever had, which was dissolved just before the outbreak of the pandemic. This will allow us to observe the starting positions of two of the main political players on the Italian governmental scene: the Movimento 5 Stelle (5 Stars Movement, also M5S) and the Lega (League). We will then examine the positioning on the relationship with the EU during the first year of the pandemic, when the Conte II government was in office (from 5 September 2019 to 13 February 2021). Lastly, we will observe the changes that occurred during the second year of the emergency, under the Draghi government, which is still in place at the time of writing (February 2022). A number of conclusions will be drawn, followed by some hypotheses for future developments.

2. *Prologue: the first Eurosceptic government Italy has ever had*

On 4 March 2018, elections were held to renew the Italian parliament: the results of these reshaped the country's politics. From the ballot count there emerged a 'tripolarisation' where no political party seemed able to secure an outright majority. The M5S, gaining more than 32%, was by far the leading party. The centre-right coalition received most votes (more than 37%) and bore witness to a significant shift: the leading party was the Lega (more than 17%), with Berlusco-

ni's Forza Italia in second place (14%). The centre-left coalition obtained nearly 23% (Ministero dell'Interno, 2018). The composition of the new Parliament was completely unprecedented: for the first time, the two political forces that had alternated in government almost uninterruptedly since 1994 – Forza Italia and the centre-left Democratic Party (PD) and its forerunners – were together out of the game.

It took three months of negotiations and several stalemates to finally get a finalised government. Yet, the executive that formed in June 2018 – the so-called 'yellow-green'[2] or 'government of change'[3] – was unique in many aspects. Headed by the non-partisan outsider, Giuseppe Conte, it emerged from an unprecedented coalition between M5S, for the first time in charge of governing, and Lega, which until recently had been outside the mainstream Italian party system.

In view of the identities and founding characteristics of the two allies, which shared a fierce anti-establishment rhetoric, the cabinet captured the attention of international political observers and was soon described as one of the few 'fully populist' governments in post-war Western Europe (Conti, Pedrazzani and Russo, 2020).

It has been argued that Euroscepticism served as a common denominator in the constitution of the M5S-Lega alliance for government and as a crucial communicative topic in the search for popular support (Di Quirico, 2021). Indeed, the formation of the yellow-green executive could be ex-

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[2] This naming represents the alliance of M5S and Lega through their respective symbol colours: yellow and green.

[3] Reference is made to the coalition agreement 'Contract for the government of change' (Contratto per il governo del cambiamento) signed by the parties' leaders Di Maio (M5S) and Salvini (Lega) on 17 May 2018.

plained by the proximity between the M5S and Lega, and mutual distance from the PD, on non-economic policies such as European integration and migration, which proved to be particularly salient during the electoral campaign (Conti, Pedrazzani and Russo, 2020). However, these two self-claimed 'anti-politics' parties, which have embodied distinct forms of populist and technocratic Euroscepticism, are rooted in very different ideological and historical backgrounds (Zappettini and Maccaferri, 2021).

To provide an extremely synthetic reconstruction, it can be said that M5S's Euroscepticism is rooted in a direct appeal to the 'sovereign people' in opposition to the elite, combined with a striving for the moralisation of politics and a firm opposition to the austerity measures that Italy had been forced to take following the economic crisis of 2009. To some extent, it could be argued that in M5S's Eurosceptic discourse, criticism of the EU constitutes a "scaled-up replication of the electorally successful condemnation of the Italian political system at an upper level" (Zappettini and Maccaferri, 2021, p. 246). According to Franzosi, Marone and Salvati (2015), this approach to direct democracy and political renewal has driven M5S's stance on the EU towards "more strategic than ideological forms of Euroscepticism" (p. 110).

On the other hand, under the leadership of Matteo Salvini (from 2013 onwards) and encouraged by the growing frustration generated by the European financial and migration crises, the Lega consolidated right-wing, ethnocentric and Eurosceptic positions around the promotion of 'Italians/Italy first' and the safeguarding of national borders (Zappettini and Maccaferri, 2021). The Lega frames its anti-EU position using sovereigntist and nativist arguments, endorsing criticisms *tout court* toward the EU-elite, the EU-regime and the EU-

community which are seen as a threat to national territorial/cultural unity (Gianfreda and Carlotti, 2018).

The coalition contract had a specific section on the EU containing some strong criticisms: "it is considered necessary to review, together with the European partners, the structure of European economic governance (monetary policy, Stability and Growth Pact, Fiscal Compact, ESM, the excessive macroeconomic budget procedure, etc.)". They also specified their intention of committing the government to demanding a reform of the European treaties that would see those "responsibilities that cannot be efficiently managed at EU level" being transferred back to the Member States (Blog delle Stelle, 2018).

Once it came into office, the executive brought the promised discontinuity in Italy's approach towards the EU, and this was particularly evident with regards to budgetary policy. In October 2018, the Italian government submitted to the European Commission (EC) a budget proposal based on expansive policies and a deficit spending which represented a U-turn from the previous commitments made by the very same government at the initial meetings of the European Semester. This resulted in an unprecedented conflict between the Italian government and EU institutions, which was only partly resolved through a review of the figures in the budget proposal (Fabbrini and Zgaga, 2019).

However, while the EU was seen as the common ground on which the government had been built, this ground was getting increasingly unstable as the months went by. When the M5S started to reconsider its position on the EU and decided to support Ursula Von der Leyen as EC President, the EU became a polarising issue, with the Lega accusing the M5S of betraying Italians by voting for a candidate proposed by

Macron and Merkel and supported by the Italian opposition (Conti, Pedrazzani and Russo, 2020).

In the European elections of May 2019, the Lega achieved an impressive 34% of votes, while the M5S only reached 17.1%, halving its votes in the space of about a year. Three months later, Salvini decided to withdraw his party from the government, hoping to exploit his growing popularity in the snap elections. However, Italian politics took a different course to that which Salvini had expected. In late August, the M5S reached an agreement on a new coalition with the centre-left and the Lega was confined to the opposition (Giannetti, Pinto and Plescia, 2020).

3. *First act: hard times for the Europhiles*

The new government, headed again by Giuseppe Conte, also known as the Conte II or 'yellow-red' government, took office on 5 September 2019 and comprised the M5S, PD and two other smaller parties, Liberi e Uguali (LeU, Free and Equal, left-wing), and Italia Viva (IV, Italy Alive, centre).

According to Capati and Improta (2021), the Conte II government shifted its approach to the EU due to the PD's involvement. Indeed, the PD exercised a 'mitigating effect' by making pro-Europeanism a precondition for joining the coalition partnership with the M5S and leading to a more accommodating relationship with EU authorities. Two important signals of this change of course were the nomination as Minister of Economy of Roberto Gualtieri (PD), a Brussels insider with previous working experience in EU institutions, and the proposal of Paolo Gentiloni (PD), a long-time Europhile, for the post of European Commissioner for Economy.

After the first cases of Covid-19 infection were confirmed in Italy at the end of January 2020, the situation quickly precipitated. Within a month, Italy became the epicentre of the epidemic in Europe and a full lockdown was announced on 9 March. This new and devastating situation had a significant impact not only on the daily lives of citizens, but also on the management of government affairs and relations with EU institutions.

Prime Minister (PM) Conte struggled to contain and respond to the emergency: it soon became evident that the available resources were inadequate to meet the needs arising from the Covid-19 pandemic.

However, in the initial stages of the pandemic, the Italian executive was enjoying wide support among citizens. To avoid being accused of exploiting a major tragedy to its advantage, the Lega decided to concentrate its criticism on the EU rather than on Conte, arguing that Europe was not focusing on fighting the virus, and hence remained distant from the concerns of ordinary Italians (Albertazzi, Bonansinga and Zulianello, 2021).

Italy sought support and solidarity from the EU and its Member States, but the reaction was lukewarm. During the initial months, the relationship between the Italian government and EU institutions was marked by numerous moments of tension, some of which seemed to irreparably undermine trust, even among those who had traditionally distinguished themselves as genuine pro-Europeans.

As early as 10 March, the PD began to show signs of nervousness, indicative of growing frustration at expectations not being met. The PD Members of the European Parliament (MEP) launched an impassioned appeal to the EU, with a ten-point proposal eloquently titled: “Coronavirus: Europe must change” (Partito Democratico, 2020).

Two days later, a bomb hit the fragile hopes of rapid and concrete EU action in the name of solidarity. European Central Bank (ECB) President Christine Lagarde, referring to calls for the ECB to cut interest rates to ease borrowing costs for highly indebted eurozone countries, said: "We are not here to close [bond] spreads, there are other tools and other actors to deal with these issues" (ECB, 2020).

The reaction of the Italian government was furious. Conte declared that the role of the ECB was to aid those countries in difficulty and to facilitate the introduction of measures to combat the crisis. This sentiment was echoed by statements from Italy's Minister of Economy and by the President of the Republic (Rainews, 2020a). Stefano Buffagni, deputy minister for Economic Development (M5S) posted a vitriolic comment on Facebook: "Mark this date: if this is the EU in times of difficulty, it means that it must be rebuilt from the ground up..." (Buffagni, 2020). The PD also reacted with great disappointment. In a statement, Emanuele Fiano, Head of Foreign Affairs at the national secretariat, said: "The PD cannot accept this and will do its utmost, at EU level, to assert the motives of Italians, demonstrating once again that Europe will make only sense if it shows itself [...] to be supportive and not hostage to cold monetary calculations" (Il Fatto Quotidiano, 2020).

Lagarde's statement was widely reported in the media and contributed to undermining confidence in the European institutions and causing great reputational damage (Cachia, 2021). Traditionally pro-European political forces suffered and were pushed to issue statements of firm condemnation and overt discontent, playing in the hands of the Eurosceptic opposition that rode the wave at a time of strong political instability.

On 2 April, in an open letter published by *la Repubblica,* the President of the EC apologised to Italy for the Commis-

sion's failure to show solidarity with the country as it struggled to contain the Covid-19 virus (Von der Leyen, 2020).

On seeing signs of easing tensions, Salvini's reaction was immediate, declaring that the EU was likely to produce a lot of words, but no substance. This was followed by a complete closure to the possibility that Italy would consider drawing funds from the European Stability Mechanism (ESM), branded as "a crime against Italians", that would end up mortgaging their future (Albertazzi, Bonansinga and Zulianello, 2021).

One week later, the finance ministers of the Eurogroup reached an agreement on a response plan worth over €500 billion: the European Investment Bank would allow Member States to use up to €240 billion of the ESM funds to sustain healthcare systems (European Council, 2020a). In Italy, the centre-right opposition parties greeted this proposal with indignation, arguing that accepting these conditions would undermine the country. They clamoured for a parliamentary vote to approve the agreement. This request was rejected by PM Conte, who was concerned that a parliamentary vote would put a strain on the stability of the government (Cachia, 2021).

Divisions within the coalition emerged anyway during the approval of the resolutions in the European Parliament: PD and IV voted in favour of paragraph 23, which called on eurozone countries to activate the ESM, while the M5S voted against. Predictably, the Lega also voted against (Rainews, 2020b). This position could at least partially be explained by the M5S's need to regain its traditional standpoints: both the 2013 and 2018 M5S election manifestos proposed the dismantling of the ESM and the 'Troika', seen as the main agencies responsible for the austerity policies imposed on Southern eurozone countries. This vote highlighted the disagreements on the decisions being taken at European level, with the M5S

more sceptical than their coalition partners on the EU's actions.

Finally, after several months of tough negotiations, on 21 July EU leaders agreed on a €750 billion recovery effort (namely the Next Generation EU) to deal with the crisis caused by Covid-19 and on a long-term EU budget for the period 2021-2027 (European Council, 2020b).

It is interesting to observe how reactions to this news by the leading Italian politicians reflected a general re-alignment on traditional positions towards the EU, albeit with some mitigation in the case of the M5S.

PM Conte declared: "We have achieved this result by protecting the dignity of our country and the autonomy of the EU institutions". Foreign Affairs Minister Di Maio (M5S) said: "Today Europe has shown that it has changed, thinking of the common interest of all Member States. And we [M5S] were right to believe in this change from the beginning, supporting this Europe with our vote for Von der Leyen. Today we are proving that there can be a different Europe". PD Secretary Zingaretti applauded the agreement: "Europe is here, and it is stronger and closer to the people. A popular Europe. A great battle by the Conte government and a great victory for Italy". The sharpest rebuttal came from Salvini: "[The Lega] wants to illustrate the facts, i.e. how much money will arrive, over what period of time and to do what: and then we will explain, what we will do and worry about in order to avoid a rip-off that can be seen at the end of the tunnel" (all the declarations are listed in Il Sole 24 ORE, 2020).

The position presented by Salvini took the line of accusing the government of having surrendered unconditionally to decisions made by the EC, as well as criticising the EU for being too slow in allocating financial resources. This type of Eurosceptic discourse combined nativism and populism and ac-

cused the EU of misusing the pandemic to undermine national sovereignty and push through new supranational measures (Wondreys and Mudde, 2020).

The M5S remained in an ambiguous position. The mitigating effect exerted by the PD softened the demands of the M5S and forced them to approach the negotiating table with a moderate attitude, thanks also to the representation of the PM, a figure who belonged to the M5S universe but was not compromised by the populist/EU-sceptic rhetoric of the early days. On the other hand, however, there was the need for the M5S not to deny its critical stance and vocation for opposition to the 'system', a distinctive feature of the Movement, which made it recognisable and credible in the eyes of the electorate.

In this first phase, it was certainly the PD that experienced the major discomfort from the delay in EU action. The party, traditionally and unquestionably pro-European, found itself having to deal with several tensions in institutional relations, including having to be speak out critically of the institutions, albeit never in a drastic manner, both to meet the growing feeling of frustration in public opinion and to reaffirm the national interest.

The difficult coexistence of the differing souls making up the Conte II government led to its dissolution 17 months after it took office, on 26 January 2021. After weeks of disagreements between IV and the rest of the government on the handling of the EU recovery funds, IV decided to withdraw its ministers, sparking a crisis. For the second time in three years, and during a devastating emergency, the President of the Republic had to conduce consultations for the formation of a new government. Once confirmed that there was no parliamentary support for a Conte III government, and considering the inappropriateness of dissolving the Chambers in the face

of the pandemic and approaching European budgetary deadlines, the Head of State appealed to all parliamentary groups to support a 'high profile government'. The decision was taken to appoint one of the Italians who enjoyed the most prestige and credibility in Europe, the former ECB President, Mario Draghi. His executive is still in charge at the time of writing (February 2022).

4. *Second act: all together now?*

The appointment of Draghi was welcomed very positively, both in Italy and abroad. The narrative of the 'homeland saviour' has prevailed, especially during his initial weeks in office. His first mission was to establish a 'national unity government' and this was soon accomplished: his cabinet is still supported by all major parties – except for the 'post-fascist' Fratelli d'Italia (Brothers of Italy) and the small left-wing party, Sinistra Italiana (Italian Left).

This change of pace did not come without its challenges. The three major parties under analysis had to face major turbulence. Firstly the Lega, which performed a drastic U-turn from its far-right Eurosceptic populism to supporting an openly pro-EU Prime Minister. Over the years, Salvini has reinforced and reiterated a Eurosceptic discourse against EU fiscal rules and EU competencies and legitimacy, without ever denying his propensity for an eventual exit of Italy from the Euro (see Rainews, 2016). One of the slogans for the Lega's 2019 European election campaign was: "STOP bureaucrats, do-gooders, bankers and boats! On 26 May, let's bring GOOD SENSE to Europe", accompanied by the hashtag "#italyfirst" (Salvini, 2019). Less than two years later, Salvini declared during a radio interview: "I will gladly leave the labels of pro-

European or anti-European to others. I am a very pragmatic person, very concrete. If in the next few months – and this is what we talked about with Draghi, not history or geography – we talk about taxes and bureaucracy, [...] about how to give a bit of respite to families and entrepreneurs, then I'm on board" (Salvini, 2021).

In this case, the 'pragmatism' of Salvini could be explained by the urgency to direct the distribution of the €209 billion in EU grants and loans for recovery towards Northern Italy, the core business base of the Lega (de Ghantuz Cubbe, 2021). The new message to Lega's supporters was that Draghi's authority could strengthen Italy's position in Europe, giving the country more power in EU decisions. This idea was reinforced by the declaration of Marco Zanni, Lega MEP who chairs the Identity and Democracy Group in the European Parliament: "To say the Lega is anti-EU because we said that some rules that govern Europe were wrong is nonsense. It's not us that has changed, it is Europe that has come closer to our ideas" (Roberts, 2021a).

The M5S was deeply divided on the vote for the new government, with the leadership pressing for support against the opposition of hard-core groups. The role of Conte, who was lately appointed as leader of the Movement, in easing relations with the EU and his applauded results in the institutional negotiations, redefined the positioning of M5S in a way that the pro-EU nature of the Draghi government did not represent a problem for most of the party.

However, Draghi represented not just the emblem of unquestionable pro-Europeanism; his background as a banker and man of the elite has proven to be a far greater sticking point. Alessandro Di Battista, one of the leading figures within the M5S, left the Movement, claiming that after long defining itself as anti-establishment and anti-austerity, the M5S had

decided to back a distinctly 'establishment government' led by Draghi – the same man who had played a role in recommending economic reforms to Italy in 2011 (Roberts, 2021b). In the end, forty parliamentarians voted against the Draghi government, and were subsequently expelled from the Movement's parliamentary group.

The change of pace was reaffirmed by Di Maio, former leader of the M5S, during an interview published by *la Repubblica*: "[what happened] should not be considered a secession, but the space for those still nostalgic for *Italexit* has long since disappeared. We are aiming at the United States of Europe, a project anchored to certain values in which a large part of the M5S and Italians recognise themselves" (Cuzzocrea, 2021).

The PD also experienced a series of internal conflicts triggered by the change of majority and the replacement of Conte by Draghi. The controversy over the composition of the government team and the discontent over the strategy for negotiations with other parties (i.e. the weight gained by the Lega) led to the resignation of the party secretary Zingaretti and the appointment of Enrico Letta.

As we have seen, the PD is a traditionally pro-European force and, on this front, its support for the Draghi government can only strengthen this position. However, the PD's undersecretary for European Affairs, Amendola, stated that aspirations towards the EU call for greater ambition: "We must continue to be demanding, (...) no more uncritical pro-Europeanism. Since July 2020, we have entered an unprecedented phase for Europe, with encouraging prospects for integration, partly due to the crisis triggered by Covid-19. But it would be reductive to be satisfied right now with what has been achieved so far. I do not like euro-optimism for its own sake, as mere opposition to souverainism. The Union we have today must be continually tested and reformed" (Mauro, 2021).

5. *Conclusions: an open-ended finale*

In Italy, the pandemic has resulted in great political instability. Domestic instability was reflected also in the relationship with the EU institutions. The Covid-19 crisis has certainly upset the priorities of the political agenda and the dialectic of parties in government and opposition. Suddenly, the overblown anti-system rhetoric has become less attractive to the electorate. As we have seen, this situation has encouraged the 'anti-system' parties, M5S and Lega, to take a more moderate path in collaboration with traditional parties, in the name of responsibility and national interest. This is certainly a difference from the economic crisis of 2009, which instead helped to fuel anti-establishment sentiments and provided fertile ground for the flourishing of populist rhetoric, which then translated into impressive electoral results.

This unprecedented health crisis has also forced the main Italian parties to rethink their position regarding the EU institutions. Indeed, the dynamics of the Covid-19 emergency have required coordination and cooperation between Member States, and domestic and European political discourses have often collided (Seddone and Bobba, 2020).

Historically, the M5S has always taken an ambiguous and contradictory position on the EU. Di Maio's statements for and against the euro, for and against a referendum on leaving the euro, etc. remain famous (see Di Maio, 2017). This ambiguity allowed the M5S to take a nationalist turn after the 2018 elections and form a government with the Lega and then, one year later, to make a pro-European turn and build a new coalition with the PD. The M5S managed this political operation while always trying to maintain its ambiguity, which meant softening both the nationalism of the Lega and the Europeanism of the PD. But the emergency did not end as soon as many

hoped, and Italy has now its third government in four years. The pandemic is forcing everyone to make fundamental choices and to overcome their taboos; in the end, therefore, the M5S supported Draghi as PM. And yet this shift is bound to raise some doubts: is it a turnaround driven by a real conviction that Europe is the only way to seek answers to otherwise unsolvable problems, as Di Maio has stated, or does it reveal an attitude of opportunism in view of the national elections to accredit the M5S as a credible political subject at a European and international level?

There are probably fewer doubts around the motivation that has driven the pro-EU turn in the Lega. Salvini has pointed it out clearly: "I, personally, want to be there. Are the 209 billion [the sum allocated to Italy from the Recovery Fund] committed to our children? I prefer to be in the room where it is decided whether that money is used well or badly" (Open, 2021). From these words emerged a utilitarian pro-EU perspective: the feeling towards the EU is consistent with the economic interest, the will to have a role in shaping the country's position within the EU, the trajectory of the relationship with other Member States. How long this attitude will last is difficult to predict, as we are still in the middle of the pandemic storm.

An attempt was made to foster stability with a 'call for unity' leading to the Draghi government. Yet, it has been argued that the unanimous support for Draghi – who is more a technocrat than a politician – corroborates the view that politicians and parliamentarians are not to be trusted (Russak, 2021).

It has recently been suggested that Covid-19 might spell the end of populist politics (Gaston, 2020). However, these speculations seem to be premature. This emergency could open a range of new opportunities for populist players able to

profit from the looming economic crisis and Covid-19 fatigue (Burni, 2020). Populist parties will likely be the main beneficiaries from protest politics, alongside a 'rise' in Euroscepticism, renewed anti-immigrant sentiment and increased salience of this key issue (Bruno and Downes, 2020). On the contrary, effective management of the pandemic by the authorities would help marginalise undemocratic political forces in the opposition.

Finally, the Covid-19 crisis has stimulated some reflections also in traditionally pro-EU parties like the PD. The initial hesitations of the EU in implementing a quick and effective response to the emergency have challenged the positive attitudes alongside a feeling that the prior unconditional Europeanism has not been reciprocated. EU support has not been as bidirectional as Italy had hoped, and during the hardest times of the virus's dissemination, European disenchantment spread through Italian politics. The good news is that "the end of naïve Europeanism does not necessarily and automatically lead to Euroscepticism" (Margalef, 2020). Properly managed, it can become a critical Europeanism that goes beyond simple declarations. Hard work will be needed to forge alliances and coalitions, circulate proposals, and prepare for any further European integration.

In this light, the pandemic could also create opportunities for strengthening democratic institutions and rebuilding citizens' trust. The pandemic constitutes an opportunity also for EU democracy to be reinvented and for its complex institutional design to be adapted to the current challenges, in line with the original ideal of solidarity.

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Communication in Italy During the Pandemic

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Abstract. This chapter illustrates how, during the pandemic crisis, communication became the central element, in many ways following the course of the disease. Every media space has been inundated with information relating to the virus, while the Coronavirus itself has profoundly changed our daily life, "bypassing" all other issues within the media system. A sort of "communication chaos" developed, which highlighted the fragility of direct communication to the public and which also prevented the statements of the institutional actors from clarifying what was happening (especially in the initial spring of 2020). The consolidation of a "two-faced" form of communication, based (theoretically) on the "knowledge" of science and on the "doing" of politics, has also led to the birth of new "hybrid" strategies: on the one hand, medicine is "politicized "; on the other, politics has become "medicalized" through the use of health-related slogans. In so doing,

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this sort of "short circuit" has reopened the question of the role of "experts" in the communication system.
Keywords: Covid-19; Pandemic; Italy; Media; Infodemic.

1. *Communication as a fragile system*

The two-year period of 2020-2022 represents the great watershed between life *before*, now lost, and life *after*, which is yet to be defined. Over the years of the SARS-CoV-2 pandemic, the scientific community has produced a multitude of studies in the most wide-ranging disciplinary fields to capture the virus' developing impact within the various spheres of human life, and to identify solutions and outline future prospects.

Limiting our attention to the Italian context and to a specific field of study, several publications have now analysed the contents, methods and consequences of a core element that accompanied the pandemic: its communication (AaVv, 2020a; AaVv 2020b; De Gaetano, Maiello, 2020; Giungato, 2020; Salzano, Scognamiglio, 2020). They offer a range of reflections from which certain distinctive aspects of the *other virus,* activated in the wake of SARS-CoV-2, emerge. First and foremost, *communication* imposed itself as a *central and unavoidable element,* mimicking the biological course of the disease: it insinuated itself into the public debate, slowly at first, with statements that tended to underestimate the extent of the emergency, before branching off explosively into various narratives. Every space in the media was swamped with data, expert voices and testimonies from doctors, people with the disease and people who had recovered, celebrities and ordinary citizens, all at an unprecedented rate and on a global scale. Likewise the Coronavirus itself behaved both as a medium, profoundly modifying the rhythm, forms, and relationships of

our daily lives, and as a message, monopolising media content and thereby overriding all other issues in a way that is quite unprecedented within the media system (Giaccardi, 2020). At the centre of the media landscape, a certain *communicative chaos* developed which was resistant to the kind of organised management of information that the health crisis really required.

This chaos revealed the *fragility of the communication* directed at the public, which prevented statements from institutional players effectively clarifying what was happening to their audience (especially in the initial phase, in the spring of 2020). The consolidation, throughout the months of the emergency, of a "*two-faced" form of communication,* based theoretically on the "knowing" of science and the "doing" of politics (an element to which we will return in section 4), led to the emergence of new communication strategies born of the hybridisation of their respective forms of rhetoric. On the one hand, you had a politicised medicine expressed by the various virologists who, thanks to being on television and radio so regularly, became specialised in speaking, providing commentary, defending their beliefs on the virus, and more besides. On the other hand, you had a "medicalised" politics that governed for a year using the pandemic as a tool, relying on health-related slogans and expressing a desire to "medicate the wounds" of Italians through the implementation of the "*Cura Italia*" (Salzano, 2020) ("Take care of Italy") decree. Throughout the various phases of the pandemic, institutional communication repeatedly fell into a cycle of discordant and fluctuating information, at times showing Italy to be "ahead of the virus" compared to other European countries, at times disseminating evidence of increasing infection rates. Throughout the two-year period, certain images and metaphors recurred, updated from time to time as the pandemic

evolved. Consider, for example, the counterposing of "us" and "the others" (first the West versus the Chinese, then – when the first cases emerged in Lombardy – Italy versus her "neighbours", France and England), which evoked the idea (already proven illusory) of raising borders to defend against the virus. Similarly, the war metaphor: this not only represented the fight against the enemy, SARS-CoV-2 and its variants, but also became the key to interpreting various dynamics. These included: the vaccination campaign, framed as a fight against deniers and anti-vaxxers; the vaccine provision's framing as a cold war with the pharmaceutical companies (either a struggle to secure the vaccine's supply or a fight against supposed parallel markets that favoured richer countries); and the growing fear within the ranks of the "healthcare army" of a mutiny among the foot soldiers, i.e. the general practitioners, who appeared to want to disengage from the complexity of managing vaccination bookings.

On the institutional communication front, there was a shift in February 2021 from Prime Minister Giuseppe Conte, the lawyer defending Italians, to that of Mario Draghi, the leader who would save Italy. At the same time, Italian citizens were seeing their means of visibility converted into a chequerboard of photographs on the various online platforms; this was interpreted as an initial expression of the transition towards a paradigm of interdependence and relational horizontality, on which tomorrow's society would be based (Nadotti, 2020).

At the time, they appeared to be a faithful representation of a population imprisoned at home, "frightened, suffering, torn between resentment and hope: this is Italy in the year of grim fear, the year of Covid-19. It was found that 73.4% of Italians consider fear of the unknown and the resulting anxiety to be the prevailing feeling in the family. In recent months, 77% have seen at least one fundamental aspect of their lives

permanently change: their health, work, relationships or leisure time. The state, although perceived as unprepared for the wave of contagions, has emerged as the lifeline to cling to in times of the greatest danger. But, in addition to gargantuan public debt, the fallout from the epidemic will be considerable, wide-ranging and long-term." (Censis 2020).

2. *Television as a seismograph of the crisis*

There can be no doubt that, since the beginning of the Covid-19 emergency and throughout the duration of the continuing crisis, television – more than any other medium – has been able to represent, narrate and "mediatise" the pandemic for a very large audience of Italian citizens. Television – with its different genres and languages, its potential, but also the inevitable production constraints imposed by the spread of the virus – has given visible form to the invisible threat. It has catalysed and relaunched discourses, set agendas and defined interpretative frameworks, negotiating the various containment measures adopted by the political decision-makers and their communication methods, with the vast public that made it their go-to medium at such a serious and dramatic time. In the connected, digital and "network" society, characterised – until the onset of the crisis – by the fragmentation, personalisation and disintermediation of communication, it had been the traditional domestic medium – the most common and transversal in terms of age, generation and social class. With the crisis, it became the focus of Italians' media consumption, both when searching for reliable information and in-depth analysis, and when organising and structuring leisure time (which increasingly, during the long weeks of lockdown, was conducted in the home alongside remote working and study-

ing). Television has, therefore, seen some of its traditional characteristics as a medium, which seemed to be fading into the indistinct "convergence" of digital media, burst back to life. It has resumed its informative function with an editorial control and professional responsibility often lacking on the web and social networks, which are – in contrast – besieged by a flood of fake news. It has also regained its ability to organise and punctuate a "dilated" period of time that feels somewhat "suspended", furnishing it with commonplace rituals (such as watching the evening news) or extraordinary events (such as the media coverage of Pope Francis, primarily between the *Urbi et Orbi* prayer on 27 March and the Easter rites at the beginning of April).

In short, during the two-year period of 2020-2021, television news played a central role as a service to citizens. It was a source of information and a vehicle for the ritualised sharing of a time dramatically characterised by uncertainty around the evolution of the pandemic and its social, economic, cultural and political consequences at a global level. Information programmes and talk shows served as a point of reference capable of reaching, through the various slots scheduled throughout the day, a wide and heterogeneous audience, bringing television back to the centre of the Italian media diet. In the Italian and European context, the numerous analytical programmes that populated the show schedules of public and private networks, such as talk shows and news shows, continued to develop and adapt their communicative formulas in order to accommodate the pandemic, renegotiate credibility and trust in information sources and propose new topics and discussion points within their own communicative agenda. The demand for information, analysis and opinions led to a diversified offer in terms of register, faces and tones of voice, which spread simultaneously throughout the European coun-

tries, adhering to the same emerging themes: the evolving waves of contagion, lockdown management, the vaccination campaign, and the Delta variant.

In particular, in the weeks that characterised the so-called "Phase 1" of Covid-19 – between the discovery of "patient 1" at the hospital in Codogno, Lombardy, on 21 February and the dawn of "Phase 2", which started with some uncertainty on 4 May – television was (and this is the metaphor we would like to adopt) a real "seismograph" of the crisis. It served this function almost literally, with the beginning of "Phase 1" coinciding with a progressive increase in television consumption, which then peaked a few weeks later at the end of March. This was a tangible sign of a strong demand for content, that grew as the situation became increasingly dramatic, with the apparently uncontrollable epidemic and the death toll generating widespread concern. In terms of television's rhetorical framing of the Covid-19 story, this second period marked a turning point. Having abandoned or minimised the model of contrasting opinions, typical of talk shows during the period of "scepticism", television focused on a format of investigations "in the field", often taking the perspective of front-line operators, doctors and healthcare workers. As mentioned above, the most common metaphor was that of a "war" being fought on the front lines of hospitals, but also behind the lines, in the homes of citizens who were being asked to quarantine.

The great appeal of ritualised consumption manifested the strong need to participate in an "imagined community", (Anderson 1996) united to fight the battle: the Pope's words on the "common destiny" that resounded from St. Peter's in the homes of over 17 million people perfectly expressed the widespread feeling in the darkest moment of the emergency, at the peak of contagions and deaths.

3. *Social pandemic: discursive rhetoric on the platforms*

On 4 January 2020, the World Health Organisation published a tweet stating that China had detected a few cases of viral pneumonia, "with no deaths", in the province of Hubei; the WHO also confirmed that it had launched investigations to understand the causes of the spread. This marked the beginning of a lengthy global emergency, which inevitably cut across the world of communication in all its forms, including the web and social media. The Covid-19 pandemic was the first pandemic to develop on a global communicational scale marked by the pervasiveness of digital media, their widespread reach and an unprecedented availability of platforms and opportunities to access information. In this sense, social media has played a central role in formulating the representation and rhetoric of online debate, defining different communicative levels and symbolic frameworks. Two years after the emergency erupted and the first cases of contagion had been traced, seems an appropriate point to reflect on the evolution of social communication around the pandemic, seeking to identify the different phases in its development, the role of institutions and platforms, the prevailing narratives adopted by users, the use of hashtags and recurring themes, as well as the consistent elements and breaks in discursive patterns. These are all aspects that have been consolidated at a global level and in which we can discern markedly national traits deriving from specific media, political and social dynamics that have taken hold in our country. From the first weeks of the spread of contagion, social platforms began exercising greater responsibility and awareness of their editorial nature; in fact, several platforms immediately launched defensive mechanisms against the fake news circulating on the web and played a role in persuading users of the value of referring to

reliable sources for accurate information. This is the direction taken by Twitter for example, which entered into an agreement with the Ministry of Health to direct users seeking information on Covid-19 to official and institutional websites. Facebook also took on a monitoring and guidance role, committing itself to deleting posts considered dangerous and obstructive to those seeking scientific truth; an approach that led to the removal of a post by US President Donald Trump last August containing information about the pandemic and its spread that was deemed misleading. Other platforms such as Tik Tok and Pinterest chose the path of user empowerment: indeed, from the first weeks of the emergency onwards, users logging in would be presented with a message inviting them to consider the effects of their creative social activity and to verify the veracity of the information they transmitted. These initiatives helped speed up the process of transforming social platforms into fully fledged sources of information, promoters of accurate and professional information rather than mere aggregators. This is an important change that the pandemic made necessary and visible, the subsequent developments and dynamics of which will be worth observing. The universe of social media has also served as an "arena" for certain personalities within in the medical-healthcare world who were able to use these spaces to build a direct relationship with citizens; at the same time, it served as a fertile and widely-used terrain for the communication and promotional campaigns of national and local institutions. More than any other entity, the Ministry of Health found itself using social media as a necessary space for conveying messages and content, both informative and persuasive in nature. The Health Ministry's social media campaigns focused primarily on three core themes. The first had a *protocol dimension,* aimed at providing public information on how to behave in the event of infec-

tion, on treatment and on prevention (an area that can be traced back to campaigns such as the "*Decalogo sul coronavirus*" ("The Ten Commandments of the Coronavirus"), launched in the very early days of the spread of the virus). The second had a *cognitive dimension,* linked to the need for stringent information on the spread of infection and the prevention activities to be implemented. The third had a *persuasive dimension,* which concerned communication activities – mainly deployed in the second phase of the pandemic and from the period leading up to the so-called "second wave"; during this phase, the Health Ministry's objective, through ad hoc social media posts and activities, was to "maintain" the level of attention, demonstrated by campaigns such as "*The mask is not a scarf*" or "*The mask protects us. Let's use it*", running since October 2020. At the level of local institutions, it was the Regions – being directly involved in and responsible for the management of health policies – that launched specific campaigns and content for social media. Each of these bodies adopted different styles, languages and rhetoric that reflected the seriousness of the situation in its own area and the need to stimulate certain individual and collective behaviours. The most significant example in this sense was Lombardy, where the experience of the pandemic emergency was particularly tragic with a high rate of infections and deaths. The institutional campaigns of the Lombardy Region, designed and built for widespread social media dissemination, aimed to make citizens aware of their responsibilities, in the belief that the only way to defeat Covid-19 was through awareness and consciousness-raising. The first phase was based on messages of an *implicit* nature, inviting people to take the minimum steps to protect themselves and others; among the messages conveyed in the first months of the virus' spread was the campaign "*If you love yourself...*", followed alternatively by "*...keep your dis-*

tance" or "*...wash your hands*" and the hashtag #fermiamoloinsieme ("Let's stop it together"). In October, with the start of the second wave and further restrictive action imposed by the central government and local authorities, the Lombardy Region launched a second campaign: "*The Covid Dilemma*", a title inspired by Jeff Orlowsky's documentary *The Social Dilemma* released on Netflix, sought to express an *oppositional* message. The campaign was designed to focus on the alternative to a certain behaviour and the consequences of not observing it, thereby confronting citizens with a sort of "false dilemma" (*"Wearing a mask or wearing a respirator?"; "Washing your hands often or washing your hands of it?*"; "*Avoiding crowded places or crowding intensive care units?")* In terms of discursive rhetoric and media representation of the pandemic, the universe of social media reflected mainstream communication, adopting the relevant narrative styles and approaches, often reworking and polarising them, but always reflecting the paradigm of interaction imposed by each platform (Cinelli et al.). The Covid-19 narrative mixed different tones and metaphors, from that of "war" (which manifested itself in the rhetoric of "lines of defence", the "heroism" of doctors, the "battle to fight", and the "invisible enemy"), to those associated with the "domestic" sphere, including stories linked to the unprecedented experience of lockdown, aggregated around the hashtag #iorestoacasa ("I'm staying home"). All the social media communication produced by users on Facebook, Twitter, Instagram and other platforms aligned along two prevailing axes: on the one hand, the difference between an individual narrative dimension (the attitudes and choices of individuals) and a communal one (the sense of sharing a common feeling and experience); on the other, a temporal dimension, running between the contingency of the specific moment and the projection and imagination of the future. In

the first months of the emergency, the discursive social media rhetoric comprised a predominantly collective narrative, with the sharing of spontaneous grassroots initiatives such as the singing of the national anthem from balconies and the spread of hashtags that would go on to dominate, such as #balconi ("balconies"), #weareitaly, #distantimauniti ("distant but united") and #andràtuttobene ("everything will be okay"). In the second phase of the emergency, the social debate was dominated by greater attention to administrative aspects, such as the launch of the Immuni app, political decisions and their communication (Prime Ministerial Decrees and the live social media/television broadcasts by Prime Minister Giuseppe Conte), and the division of Italy into different zones with different "colours". As the emergency and the restrictions continued, the attitude of social media communication underwent a significant change of perspective; during the spring and summer months, the narrative seemed to be dominated by a sense of confidence in a new start, albeit in the ironic register typical of social media, which manifested itself in memes and gifs featuring dividers on beaches or in restaurants, while with the second wave of the winter months, the feeling returned to one of profound disquiet, anger and concern, culminating in the #ioapro ("I'm opening") campaign by some restaurateurs, in open protest against the prolonged closure of their businesses. The year spent living with Covid-19 has revealed a variety of approaches to the use of social media as spaces for storytelling, performance, sharing and debate. In the discourses and practices adopted by users, it was possible to discern new traits and deep-rooted behaviours, innovations in language and content and, at the same time, the persistence of communication styles geared towards irony, sarcasm and denunciation – distinctive elements of social media narrative. There is no doubt that the pandemic emergen-

cy presented an opportunity to redefine the contents and universe of social media at both a global level and in individual national contexts; it was a moment of inevitable crisis from which emerged an opportunity to leap forward along the road to responsibility and editorial reliability, to which the vast majority of users responded by combining creativity and their usual levity with the ability to identify hidden dangers and seeds of disinformation and the infodemic.

4. *Questions of trust: the disintermediated voice of science*

In communication studies, trust is a core area of thought if not one of the most relevant themes when it comes to exploring the dynamics of influence that exist between the actors of communication, and the mechanisms that regulate the attribution of reliability to a source and therefore its credibility. We can discern two levels within Covid-19 communication: an emotional level, which is typical of social exchanges between friendly groups, and an institutional level that must be guaranteed by the media. It is dangerous when these two levels overlap and one can no longer discern where one ends and the other begins. The different phases of the pandemic were accompanied by a sort of cognitive epidemic with important emotional consequences. In response to the urgency of the situation, people were continuously and spasmodically seeking out information on the virus, ending up overwhelmed by often contradictory news. This short-circuit of information led to widespread anxiety, fuelled by a lack of understanding about how to face an invisible enemy while waiting for strong, clear, cohesive institutional communication to take the lead. In the space of a few days, a similar management model imposed itself in various countries as the virus reached them,

with the gradual discovery of outbreaks at an international level. It was a "two-faced" approach, concerned with *knowing* (science) and *doing* (politics), which was called upon to combine both elements in conveying information and practical instructions to citizens. But what happens when several subjects represent institutional sources? And how, in an emergency context, can the general crisis of credibility impacting leaderships be remedied? The management of pandemic communication in Italy, made particularly complex by the country's unexpected role as the "patient 1" nation of the Western world, presented certain weaknesses which we can clearly trace to a crisis in the credibility of institutional sources. A first critical element was the coexistence of too many different institutional sources, which often contradicted each other. A second and consequent problem was the crisis of credibility of the "two-faced" institutional source mentioned above, which sometimes appeared very fragile. The source of knowledge and competence, i.e. the voice of science, faced a particular crisis. Looking back at the news that was presented in the media at the start of the emergency, science was the first voice to introduce the existence of a mysterious virus to the world at the end of January. However, it was a voice that, although mediated by authoritative scientists, failed to make a significant impact on the news agenda, which initially diminished the warning, pinning it to a distant, Chinese problem. The sudden development of events, as well as the proof that viruses also operated at the pace of globalisation, transformed scientists (and for purposes of national reassurance, each country had its own scientists) into modern sibyls poised to predict the future of humanity. The voice of science, so strongly urged to intervene, quickly ended up disintegrating into as many opinions as there were scientists, all elevated to the rank of celebrities in the information arena set

up by the media. Virologists, epidemiologists, mathematicians, computer scientists, psychiatrists and psychologists stepped into the limelight, offering expertise in hygiene, statistical curves, plateaus, R values, droplet transmissions. Perhaps in a wholly unprecedented way, scientific discourse was making itself heard in an increasingly strong and disintermediated manner, capturing the attention of large sections of a public usually resistant to this "genre" of information.

Communication on the pandemic followed suit, with the gradual fragmentation of the face of science into different disciplinary fields, each called upon at various points to provide answers to the growing problems caused by the virus in humans. But it was also characterised by a growing understanding among ordinary people that science, the kind that is practised in laboratories and requires constant dedication, is based on hypotheses, working by trial and error and offering no guarantees (Alesina and Giavazzi, 2020). It was a revelation that rewrote the script on the authoritativeness of scientists: from the idealised and initially indistinct image of the scientist, the figure of the expert or populariser of science emerged in sharp relief. The media's overexposure of this figure, embodied by professors and professionals from the scientific world, who had left their laboratories to become increasingly regular television guests, has had degrading effects: woeful media fisticuffs between experts, certainties expressed in the name of science and then belied by the reality of the facts (consider statements on the disputed use of masks and the low mortality rate of the virus, or the prediction of its imminent extinction) have created a crack in the credibility of scientific expertise. The scientific expert has been transformed into the scientific opinion leader, who speaks from opinion, makes predictions, and is called upon to support or criticise the various regional provisions. This generates a dan-

gerous tandem between science and politics, whereby scientists risk slipping into the discourse of political confrontation and sending this "two-faced" institutional source reeling into disequilibrium. In the meantime, doctors and nurses are depicted as tireless, good-hearted heroes, front-line fighters against the virus, as per the systematically applied narrative of a "war" against the virus, despite the sense of danger and precariousness this inevitably feeds. The credibility of doctors is nourished by a plural narrative comprising multiple threads: experience in the field, stories of life and death, the telling of harsh truths, direct appeals to the community with practical hygiene suggestions and warnings about the danger of the virus without paternalistic overtones. Testimonies that accumulate over the days, become points of reference for understanding the course of the contagion, and a source of hope for effective cures obtained through the hard work of empirical science.

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