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New Territorial Dynamics and Metropolitan Logic: Ideas for Medium-Size Cities and Internal Areas (p. 857)

Claudia Tubertini

Essays and Articles

Evolution of Decentralization in France and Italy: A Comparative Perspective (p. 867)

Marzia De Donno, Luciano Vandelli

France and Italy, the most representative states of the Napoleonic administrative model, have introduced a sweeping transformation of their local and regional systems, featuring similar timelines and normative changes. The article offers a comparison of these reforms and emphasizes shared trends and persistent differences among the two legal systems.

The Reform of Local Authorities in France and Italy: The Unsuccessful Euthanasia of the Intermediate Level (p. 885)

Martino Mazzoleni

In recent years in France and Italy sub-national government authorities have been reformed, mainly for financial and political reasons. Those changes share the goals of rationalizing State administration, rendering the production of public goods more efficient, and containing public expenditure. They have followed similar paths, characterized by a top-down imposition of a new institutional framework, the anticipated elimination of the second tier of local government (provinces and departments), and the strengthening of metropolitan and inter-municipal governments. However, the specific political contexts of the two countries have produced fairly different outcomes for the reforms enacted in 2014 and 2015.

Imperfect French Centralization: Centralism, Deconcentration and Inter-Municipal Cooperation (p. 915)

Consiglia Di Ronza

Municipal fragmentation is an issue that European countries have addressed with different strategies. France, historically characterized by a high level of municipal fragmentation, has opted for inter-municipal cooperation (IMC) as its privileged strategy. In a country where the central state plays a predominant role, IMC represents an important pillar of State management of local levels. This center-periphery relationship, along with the increasing number of local authorities (deconcentration), may allow to identify France as a case of “imperfect centralization”. The centralism-deconcentration-inter-municipal-cooperation triangle adequately describes the French context, where IMC (the triangle’s base) is a special place for observing the results of the coordinated action of the other two sides. The most recent forms of inter-municipal cooperation could play an important role for this top-down stream, by introducing a more constant and circular flow. This three-cornered relationship is the focus of this article.

Rationalisation and Sustainability of Local Government in Spain: An Unsuccessful Reform. The Paradigm of Provincial Jurisdiction (p. 941)

Ricard Gracia Retortillo

The purpose of this study is to discuss the status of the recent reform of local government in Spain, introduced by Law 27 of 27 December, 2013, on Rationalization and Sustainability of Local Administration (LRSAL). In particular, it focuses on the impact of the judgments handed down by the Constitutional Court during the year 2016, which have addressed some of the many doubts and criticisms generated by the reform. The analysis starts with a contextualization of the reform, lays out its main legal problems, identifies the effects of the aforementioned jurisprudential pronouncements. Although the reform has not achieved its goals, it has validated the model of recentralization and limitation of local autonomy inherent to LRSAL and shows that in Spain there remains a need for real structural reform strengthening the local government model.

The City in the Legal System (p. 975)*Micol Roversi Monaco*

This paper examines how the Italian legal system views the city, the institutional form of which is the urban municipality and the metropolitan city, and analyses three dimensions of local authority: territory, population and representative institutions. As to territory, local authorities' boundaries do not always coincide with cities' economic and social unity. As to population, the residence criterion takes no account of those who are in regular contact with local administrations and should be considered part of it. Finally, cities' representative institutions are bound by decisions taken at other political levels: the State establishes the spheres of local autonomy. It thus seems desirable to have representatives of municipalities (and therefore of metropolitan cities, as well) in the national Parliament, so they can participate in the policy-making process affecting their areas of autonomy.

Public Administration Organization in Italy's and the European Union's Integration Processes (p. 997)*Roberto Cavallo Perin*

The article analyzes the characteristics of the two main integration processes in which Italy has been engaged: its unification as a nation more than 150 years ago and, more recently, its participation, together with other member States, in the creation of a supranational European Union legal order. In both experiences, the integration process has not been homogeneous in all relevant sectors, nor has it been founded mainly on general and abstract rules, but rather on different forms of administrative cooperation. Since many institutions and areas have been involved, it is reasonable to speak of a variety of integrations. This explains the frequent asymmetries occurring in the integration processes pertaining to the Kingdom of Italy and, later on, the European Union: integration doesn't relate to a single relationship but to a number of parallel relationships between a number of institutions, each with a distinct key principle that changes as a function of the institutions and areas involved.

Notes and Comments

Metropolitan Council Elections: Characteristics, Outcomes and Critical Issues Emerging from the October 9, 2016 Vote (p. 1035)

Marina Caporale, Giancarlo Gasperoni

The article analyses legislation concerning second-level elections of Italian Metropolitan City (MC) authorities and describes the 2016 electoral process in 5 MCs: Turin, Milan, Bologna, Rome Capital, Naples. The text outlines the MC authority framework and the electoral system leading to the formation of the Metropolitan Councils, describes the political competitors, discusses voter participation levels and the election outcomes. Some critical issues are identified and discussed, especially as regards demographic weighting of voter preferences, representation in terms of territory and gender, and the need to substitute elected councilors who will cease to serve once their original municipal-level mandates come to an end. These issues point to a need for new legislative intervention.

Regional Observatory

Merger among Municipalities in Emilia-Romagna: Who Initiates the Process and Who Ends It? (p. 1069)

Andrea Piazza