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Giuseppe Piperata

Essays and Articles

Objectives, Structure and Governance of Recovery Plans In European Systems: A Comparison of Five Countries (p. 325)

Francesca Di Lascio, Livia Lorenzoni

The paper provides a comparative analysis of the national recovery plans of some European states. The comparison highlights their objectives, guiding principles, structure, and governance system. The analysis highlights common trend lines and differences affecting the planned projects' content and implementation prospects. In the conclusions, some critical observations are developed on the relationship between the effectiveness of the investment plans concerning the planned administrative reforms, with particular reference to Italy, where this profile appears much more marked than elsewhere.

The 'RRF' Funds Management and Administrative Law: Analysis and Overview (p. 361)

Fulvio Cortese

The paper illustrates the reasons, policies and organisational structures of the Recovery and Resilience Facility and the National Recovery and Resilience Plan, which aim to implement the strategic goals coming from the EU at the national level. Based on this premise, and taking note of some contextual evidence from a recent constitutional reform as well as the evolution of a new "urban law", it highlights some tendencies about the general transformation of Italian administrative law.

Administrative Measures for Economic Recovery and Resilience. The Italian NRR Plan (p. 387)

Anna Romeo

This contribution examines the issue of administrative reforms identified for recovery and resilience by the Italian Government, aiming to verify the perspective in which these measures must be more appropriately understood to achieve the set goal. In this direction, it briefly analyses the forms of state intervention in the economy as the primary tool for rebalancing inequalities. The Italian model of programming underlying the current plan prepared for the country's economic revitalisation is, therefore, considered within a European dimension as a tool for a more decisive projection of Europe into the Mediterranean area.

The Italian Recovery Plan's Different Forms of 'Good Administration' (p. 401)

Benedetto Ponti

The "right to a good administration" is traditionally understood as substantially aligned with the processes of digitalisation of public administrations, and indeed the latter has represented a driver for the effective deployment of citizens' rights in their relations with the public administration, facilitating their exercise through ICT-based solutions. The contribution intends to highlight how the reforms and investments of the NRRP - including those declined in the specific axis of intervention called "good administration" (Axis B) - at the moment in which they focus: 1) on the simplification, standardisation and uniformity of processes; 2) the circulation and integration of public information assets; 3) the transition to cloud infrastructure - enable the conditions for the implementation of big data analytics and machine learning solutions, which in turn present elements of friction with the very claims protected by the "right to good administration".

The Simplifications of Environmental Procedures in the National Recovery and Resilience Plan (NRRP) Implementation (p. 419)

Micol Roversi Monaco

The National Recovery and Resilience Plan (NRRP) involves reforms to remove administrative, regulatory, and procedural obstacles affecting business activities and the quality of public services in favour of citizens and companies. Moreover, the NRRP aims to introduce more efficient sectorial regulations and procedures. This paper examines the recent changes introduced by the NRRP to the environmental impact assessment, the strategic environmental assessment, and the authorization procedures for plants powered by renewable sources.

NRRP and Ecological Transition: A Double Path (p. 443)

Laura Pergolizzi

The essay examines the Italian National Recovery and Resilience Plan (PNRR) measures focused on the ecological transition, offering a double path. On the one hand, it proposes a sectoral approach that focuses on the measures articulated in the second Mission of the NRRP (Green Revolution and Ecological Transition), devoting a reflection on the role of energy issues about the process of the ecological transition. On the other hand, it proposes a transversal reading, with particular reference to the fifth Mission (Inclusion and Cohesion). In this way, it is possible to highlight the emergence of the central perspective of the needs linked to promoting the ecological transition at the level of territorial government policies. Some final comments will be devoted to the possible future scenarios concerning the development of the dynamics related to the profiles examined in the post-emergency phase.

The Creation of a Unified Public Information System with the National Digital Data Platform (p. 473)

Isabella Alberti

The investments allocated by the National Recovery and Resilience Plan (NRRP) for the digitalisation of public administration aim to simplify ad-

ministrative activity. Among these, the National Digital Data Platform represents the primary tool for simplifying the management and circulation of public data. The article focuses on the innovations favoured by this Platform on the exercise of institutional functions made possible by the interconnection between public databases and leads to the exclusive legislative power in the field of statistical information coordination data processing and data processing legislation on the management and circulation of public data.

Notes and Comments

Effectiveness of Protection in Civil Service Disputes: A Comparison Between Administrative and Civil Courts (p. 497)

Beatrice Baldini

This paper analyses some employment disputes within the Civil service by comparing the case law of both administrative and civil courts, the two main branches of jurisdiction. This paper aims to contribute to the scholarly debate which has followed the privatisation of the Civil service concerning the level of protection guaranteed by the courts. The paper highlights the gap in the public and private sector regimes, and it also seeks to show which of the two regimes is the most valid one to guarantee full and effective protection to the legal position of the injured party.

Readings and Highlights

Interlegality in Administrative Law and the Reasonability of Principles-Based Administration. Reflections upon the Book “*L’era dell’interlegalità*”, Edited by E. Chiti, A. di Martino, G. Palombella (p. 533)

Dario Bevilacqua

Current legal systems are characterised by regulatory pluralism and the linkages between different legal systems. This fact confirms the intuition of interlegality, addressed by a collective work that brings together criminal lawyers, public lawyers and philosophers of law. The concept of interlegality offers a very fitting definition of current law, no long-

er monolithic, singular, and defined, but fluid, plural, and continuously changing. It must be understood as a concept of legality declined in the plural, a mix – within each order – of global law, regional law, state law and the various subnational laws. This aspect, confirmed by numerous judicial cases, is intertwined with a contrary tendency aimed at unity and based on principles. Through a principles-based law and regulation and the diffusion of common criteria of action – above all that of reasonableness – a juridical substratum shared by the various legal systems is affirmed, which coexists with legal pluralism and makes it possible.